

KUANG-BAO P. OU-YOUNG
1362 Wright Avenue
Sunnyvale, California 94087
(408) 736-7793
kbouyoung@yahoo.com

Plaintiff Pro Se

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KUANG-BAO P. OU-YOUNG,

Plaintiff,

vs.

JOHN G. ROBERTS, JR.,

Chief Justice,

Supreme Court of the United States;

CLAUDIA WILKEN,

Chief Judge, United States District Court

for the Northern District of California;

RONALD M. WHYTE,

District Judge, United States District Court

for the Northern District of California;

JEFFREY S. WHITE,

District Judge, United States District Court

for the Northern District of California;

EDWARD M. CHEN,

District Judge, United States District Court

for the Northern District of California;

LUCY H. KOH,

District Judge, United States District Court

for the Northern District of California;

RICHARD SEEBORG,

District Judge, United States District Court

for the Northern District of California;

HOWARD R. LLOYD,

Magistrate Judge, United States District

Court for the Northern District of California;

RICHARD W. WIEKING,

Clerk, United States District Court

for the Northern District of California;

SNOOKI R. PULI,

Supervisor, United States District Court

for the Northern District of California;

Case No.

CV 14 80174 MISC.

COMPLAINT

DEMAND FOR JURY TRIAL

BLF

Filed
JUN 10 2014
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE
Sees Waived

1 **SIMONE VOLTZ,**)
 2 Supervisor, United States District Court)
 3 for the Northern District of California;)
 4 **ODILE HANSEN,**)
 5 Supervisor, United States District Court)
 6 for the Northern District of California;)
 7 **CYNTHIA LENAHAH,**)
 8 Deputy Clerk, United States District Court)
 9 for the Northern District of California;)
 10 **MARTHA P. BROWN,**)
 11 Deputy Clerk, United States District Court)
 12 for the Northern District of California;)
 13 **TIFFANY SALINAS-HARWELL,**)
 14 Deputy Clerk, United States District Court)
 15 for the Northern District of California;)
 16 **GORDANA MACIC,**)
 17 Deputy Clerk, United States District Court)
 18 for the Northern District of California;)
 19 **BETTY WATSON,**)
 20 Deputy Clerk, United States District Court)
 21 for the Northern District of California;)
 22 **CHARLES ADAMS,**)
 23 Deputy Clerk, United States District Court)
 24 for the Northern District of California;)
 25 **ERIC H. HOLDER, JR.,**)
 26 Attorney General of the United States;)
 27 **MELINDA HAAG,**)
 28 United States Attorney for)
 29 the Northern District of California;)
 30 **CLAIRE T. CORMIER,**)
 31 Assistant United States Attorney,)
 32 United States Attorney's Office)
 33 for the Northern District of California;)
 34 **JAMES A SCHARF,**)
 35 Assistant United States Attorney,)
 36 United States Attorney's Office)
 37 for the Northern District of California;)
 38 **STACIA HYLTON,**)
 39 Director, United States Marshals Service;)
 40 **DONALD M. O'KEEFE,**)
 41 United States Marshal)
 42 for the Northern District of California;)
 43 **MARK HARWELL,**)
 44 Supervisory Deputy Marshal,)
 45 San Jose Office, United States Marshal)
 46 for the Northern District of California;)
 47 **PATRICK R. DONAHOE,**)
 48 Postmaster General of the United States;)

1 **DAVID A. LEBRYK,**)
 2 Commissioner for Fiscal Service,)
 3 United States Department of the Treasury;)
 4 **DAVID J. YANG,**)
 5 An Individual;)
 6 **TERESA GUERRERO-DALEY,**)
 7 Judge, Department 43, Hall of Justice,)
 8 Superior Court of California for the)
 9 County of Santa Clara;)
 10 **SAN JOSE POLICE DEPARTMENT,**)
 11)
 12 Defendants.)
 13 _____)
 14)
 15)

15 INTRODUCTION

16 1. On February 2, 2010, plaintiff filed a civil case against the United States Postal
 17 Service (the "Postal Service") (Case No. C10-00464RS). District judge Richard Seeborg issued a
 18 summary judgment and dismissed the case on June 10, 2011. On May 31, 2012, plaintiff filed a
 19 civil case against four postal employees (Case No. C12-02789LHK). Case C12-02798LHK
 20 resulted from the postal employees' presentation of false declarations in defense of the Postal
 21 Service in case C10-00464RS. On November 9, 2012, district judge Lucy H. Koh dismissed case
 22 C12-02789LHK. The dismissal order was entered as judgment on November 21, 2012. On June
 23 10, 2013, judge Koh denied plaintiff's motion to vacate the judgment dismissing case C12-
 24 02789LHK.

25 2. Due to judge Koh's denial of the motion to vacate the judgment dismissing case
 26 C12-02789LHK, plaintiff filed a civil case on September 25, 2013 (Case No. C13-04442EMC).
 27 District judge Edward M. Chen dismissed case C13-04442EMC on December 20, 2013. In the
 28 dismissal order, judge Chen also subjected plaintiff's further complaints to "pre-filing review"
 29 by "the general duty judge." Acting under judge Chen's order dismissing case C12-04442EMC,
 30 district judge Ronald M. Whyte dismissed plaintiff's ensuing complaint on January 30, 2014,
 31 before allowing plaintiff to file (Case No. C14-80017RMW).

3. On February 6, 2014, plaintiff filed a complaint exempt from the pre-filing review imposed by judge Chen's dismissal order (Case No. C14-00456HRL). Still, deputy clerk Betty Watson canceled the filing and assigned the complaint to district judge Jeffrey S. White for pre-filing review. On February 13, plaintiff brought a federal criminal complaint against deputy clerk Watson to the district court. At the courthouse entrance, deputy marshal Mark Harwell ordered plaintiff to deliver the criminal complaint to the clerk's office.

4. On February 25, 2014, plaintiff filed a crime report against deputy marshal Harwell with director of the United States Marshal's Service, Stacia Hylton, as well as United States marshal for the northern district of California, Donald M. O'Keefe. Due to the lack of response from either director Hylton or marshal O'Keefe, plaintiff submitted to the House Judiciary Committee a petition for impeachment against judge Whyte, judge Chen, director Hylton, marshal O'Keefe, and deputy marshal Harwell on March 11. On April 25, a revised petition for impeachment was submitted to the House Judiciary Committee.

5. For the sake of brevity, substantial grounds for impeachment have been left out of the April 25 petition. This complaint shows in more detail the improprieties that occurred at both the district court and the Justice Department. More importantly, this complaint seeks to hold defendants accountable for their criminal offenses against plaintiff.

JURISDICTION AND VENUE

6. This action raises questions under the federal criminal law against obstruction of justice in 18 U.S.C. §§ 371, 1509, 1512(b), and 1512(c). This court has original jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1343, and 1346(b). This court has authority to award the requested declaratory relief under 28 U.S.C. § 2201, the requested injunctive relief under 28 U.S.C. § 1343(3), the requested damages under 28 U.S.C. § 1343(3), and legal costs under 42 U.S.C. § 1988.

7. Venue is proper under 28 U.S.C. § 1391(b)(2) in the northern district of California because a substantial part of the actions giving rise to this case occurred within the district.

INTRADISTRICT ASSIGNMENT

8. Pursuant to Civil L.R. 3-2(c) - (d) and 3-5, this is a civil rights case, in a non-excepted category, suitable for assignment to the San Jose division because the civil action arose in Santa Clara County.

PLAINTIFF

9. Plaintiff Kuang-Bao P. Ou-Young is a pro se litigant.

DEFENDANTS

10. Defendant John G. Roberts, Jr. is Chief Justice, Supreme Court of the United States.

11. Defendant Claudia Wilken is chief judge, United States district court for the northern district of California (the “district court”).

12. Defendant Ronald M. Whyte is a district judge at the district court.

13. Defendant Jeffrey S. White is a district judge at the district court.

14. Defendant Edward M. Chen is a district judge at the district court.

15. Defendant Lucy H. Koh is a district judge at the district court.

16. Defendant Richard Seeborg is a district judge at the district court.

17. Defendant Howard R. Lloyd is a magistrate judge at the district court.

18. Defendant Richard W. Wieking is the clerk of the district court.

19. Defendant Snooki R. Puli is a supervisor at the San Jose division of the district court.

20. Defendant Simone Voltz is a supervisor at the San Francisco division of the district court.

1 21. Defendant Odile Hansen is a supervisor at the Oakland division of the district
2 court.

3 22. Defendant Cynthia Lenahan is a deputy clerk at the Oakland division of the
4 district court, who receives complaints at the Oakland courthouse.

5 23. Defendant Martha P. Brown is a deputy clerk at the San Jose division of the
6 district court, who serves as the calendar clerk and courtroom deputy for judge Koh.

7 24. Defendant Tiffany Salinas-Harwell is a deputy clerk at the San Jose division of
8 the district court, who received complaints at the San Jose courthouse. She also served as a
9 docketing clerk for judge Seeborg.

10 25. Defendant Gordana Macic is a deputy clerk at the San Jose division of the district
11 court, who received complaints at the San Jose courthouse.

12 26. Defendant Betty Watson is a deputy clerk at the San Jose division of the district
13 court, who received complaints at the San Jose courthouse.

14 27. Defendant Charles Adams is a deputy clerk at the San Jose division of the district
15 court, who serves as the chamber deputy for district judge Edward J. Davila.

16 28. Defendant Eric H. Holder, Jr. is attorney general of the United States.

17 29. Defendant Melinda Haag is United States attorney for the northern district of
18 California.

19 30. Defendant Claire T. Cormier is an assistant United States attorney at the United
20 States attorney's office for the northern district of California.

21 31. Defendant James A. Scharf is an assistant United States attorney at the United
22 States attorney's office for the northern district of California.

23 32. Defendant Stacia Hylton is director of the United States Marshals Service.

33. Defendant Donald M. O'Keefe is United States marshal for the northern district of California.

34. Defendant Mark Harwell is supervisory deputy marshal at the San Jose Office of the United States marshal for the northern district of California.

35. Defendant Patrick R. Donahoe is postmaster general of the United States.

36. Defendant David A. Lebryk is commissioner for Fiscal Service (successor of Financial Management Service, "FMS"), United States Department of the Treasury.

37. Defendant David J. Yang is an attorney in private practice, who has been admitted to the bar of the district court.

38. Defendant Teresa Guerrero-Daley is the judge at department 43 of the Hall of Justice, Superior Court of California for the county of Santa Clara.

39. Defendant San Jose Police Department is the law enforcement agency of the city of San Jose.

STATEMENT OF FACTS

40. On February 2, 2010, plaintiff filed a civil action against the Postal Service (Case No. C10-00464RS, "Docket A").

41. On June 10, 2011, judge Seeborg issued a summary judgment and dismissed the case. Doc. Nos. A53, A54.

42. On May 31, 2012, plaintiff filed a civil action against four postal employees (Case No. C12-02789LHK, "Docket B"). The case resulted from the postal employees' presentation of false declarations in defense of the Postal Service in case C10-00464RS. Deputy clerk Salinas-Harwell received the complaint and assigned the case to judge Lloyd.

43. On June 21, 2012, U.S. attorney Haag and assistant U.S. attorney Scharf moved to relate case C12-02789LHK to case C10-00464RS. Doc. No. B10.

1 44. After plaintiff declined to prosecute case C12-02789LHK before judge Lloyd on
2 June 22, 2012, clerk Wieking assigned the case to judge Koh on June 25. Doc. Nos. B11, B14.

3 45. On July 3, 2012, judge Seeborg denied the motion to relate case C12-02789LHK
4 to case C10-00464RS. Doc. No. B15.

5 46. On July 11, 2012, plaintiff moved to disqualify judge Lloyd as referral judge from
6 case C12-02789LHK. Doc. No. B16.

7 47. On July 17, 2012, U.S. attorney Haag and assistant U.S. attorney Scharf opposed
8 plaintiff's July 16 motion to change time for initial case management conference in case C12-
9 02789LHK. Doc. Nos. B17, B18.

10 48. On July 19, 2012, deputy clerk Brown put forth a notice setting the initial case
11 management conference in case C12-02789LHK for October 17. Doc. No. B19.

12 49. On August 9, 2012, U.S. attorney Haag and assistant U.S. attorney Scharf moved
13 to dismiss case C12-02789LHK. Doc. No. B20.

14 50. Before plaintiff's opposition to U.S. attorney Haag and assistant U.S. attorney
15 Sharf's August 10, 2012 motion to change time in case C12-02789LHK was due, judge Koh
16 continued the October 17 case management conference to November 15 on August 14. Doc.
17 Nos. B21, B22.

18 51. On August 28, 2012, U.S. attorney Haag and assistant U.S. attorney Scharf
19 replied to plaintiff's opposition to the motion to dismiss case C12-02789LHK. Simultaneously,
20 U.S. attorney Haag and assistant U.S. attorney Scharf opposed plaintiff's first motions for
21 sanctions and summary judgment. Doc. Nos. B23-B25.

22 52. Also on August 28, 2012, deputy clerk Brown put forth a notice continuing the
23 October 18 hearing on plaintiff's first motions for sanctions and summary judgment in case C12-
24 02789LHK to November 15. Doc. No. B26.

53. On November 8, 2012, U.S. attorney Haag and assistant U.S. attorney Scharf filed defense case management statement in case C12-02789LHK. Doc. No. B27.

54. On November 9, 2012, judge Koh dismissed case C12-02789LHK and denied plaintiff's first motions for sanctions and summary judgment. Simultaneously, judge Koh denied plaintiff's first motion to disqualify judge Llyod from case C12-02789LHK. Doc. No. B28.

55. On November 21, 2012, defendant Brown entered judge Koh's order dismissing case C12-02789LHK as judgment. Doc. No. B29.

56. Based on her dismissal of case C12-02789LHK, plaintiff moved to disqualify judge Koh from the case on November 28, 2012. At the same time, plaintiff moved again to disqualify judge Lloyd from the same case. Doc. Nos. B30-B31.

57. On November 30, 2012, judge Koh denied plaintiff's first motion to disqualify herself from case C12-02789LHK as well as plaintiff's second motion to disqualify judge Lloyd. Doc. No. B32.

58. On December 5, 2012, plaintiff moved to vacate the November 21 judgment dismissing case C12-02789LHK. Doc. No. B34. Also on December 5, 2012, plaintiff moved for summary judgment and sanctions in case C12-02789LHK as well as to disqualify both judge Koh and judge Lloyd again. Doc. Nos. B33, B35-B37.

59. On December 6, 2012, U.S. attorney Haag and assistant U.S. attorney Scharf opposed plaintiff's December 5 motions to vacate judgment in case C12-02789LHK and to disqualify both judge Koh and judge Lloyd as well as second motions for summary judgment and sanctions. Doc. Nos. B38.

60. On December 7, 2012, deputy clerk Brown put forth a notice continuing the January 10, 2013 hearing on plaintiff's motion to vacate judgment in case C12-02789LHK as well as second motions for summary judgment and sanctions to April 18, 2013. Doc. No. B40.

1 61. On March 1, 2013, judge Koh continued the April 18 hearing on plaintiff's
2 motion to vacate judgment in case C12-02789LHK as well as second motions for summary
3 judgment and sanctions to May 2, 2013. Doc. No. B43.

4 62. On April 26, 2013, judge Koh continued the May 2 hearing on plaintiff's motion
5 to vacate judgment in case C12-02789LHK as well as second motions for summary judgment
6 and sanctions to June 6. Doc. No. B45.

7 63. On May 30, 2013, judge Koh vacated the June 6 hearing on plaintiff's motion to
8 vacate judgment in case C12-02789LHK and second motions for summary judgment and
9 sanctions. Doc. No. B47.

10 64. On June 10, 2013, judge Koh denied plaintiff's motion to vacate judgment in case
11 C12-02789LHK, second motion to disqualify herself, third motion to disqualify judge Lloyd, and
12 second motions for summary judgment and sanctions. Doc. No. B48.

13 65. In response to judge Koh's denial of the motion to vacate the judgment in case
14 C12-02789LHK, plaintiff filed a civil action on September 25, 2013 (Case No. C13-04442EMC,
15 "Docket E"). Deputy clerk Macic received the complaint and assigned the case to magistrate
16 judge Paul S. Grewal.

17 66. After plaintiff declined to prosecute case C13-04442EMC before judge Grewal on
18 October 3, 2013, clerk Wicking assigned the case to district judge Edward J. Davila on October
19 8. Doc. Nos. E6, E9.

20 67. After judge Davila recused himself from case C13-04442EMC on October 17,
21 2013, clerk Wicking assigned the case to judge Chen on October 18. Doc. Nos. E12, E13.

22 68. On October 31, 2013, U.S. attorney Haag and assistant U.S. attorney Cormier
23 moved to relate case C13-04442EMC to cases C10-00464RS, C12-02789LHK, and C13-
24 03676SI. Case C13-03676SI is a descendant of case C10-00464RS as well. Doc. No. E20.

1 69. On November 5, 2013, U.S. attorney Haag and assistant U.S. attorney Cormier
2 moved to dismiss case C13-04442EMC. At the same time, U.S. attorney Haag and assistant U.S.
3 attorney Cormier moved to exempt defendants in the case from answering the complaint and to
4 vacate the case management conference set for January 16, 2014. Doc. Nos. E24, E25.

5 70. On November 6, 2013, judge Chen exempted defendants in case C13-04442EMC
6 from answering the complaint and vacated the January 16, 2014 case management conference.
7 Doc. No. E26.

8 71. On November 14, 2013, U.S. attorney Haag and assistant U.S. attorney Cormier
9 moved to declare plaintiff a vexatious litigant. Doc. No. E28.

10 72. On November 20, 2013, U.S. attorney Haag and assistant U.S. attorney Cormier
11 replied to plaintiff's opposition to the motion to dismiss case C13-04442EMC. Doc. No. E31.

12 73. On November 22, 2013, judge Chen denied plaintiff's first motion to disqualify
13 judge Chen himself from case C13-04442EMC. Doc. Nos. E30, E33.

14 74. On December 3, 2013, U.S. attorney Haag and assistant U.S. attorney Cormier
15 replied to plaintiff's opposition to the motion to declare plaintiff a vexatious litigant in case C13-
16 04442EMC. Doc. No. E36.

17 75. On December 10, 2013, judge Chen denied plaintiff's second motion to disqualify
18 judge Chen himself from case C13-04442EMC. Doc. Nos. E35, E37.

19 76. On December 20, 2013, judge Chen denied plaintiff's third motion to disqualify
20 judge Chen himself from case C13-04442EMC. In the same order, judge Chen also dismissed
21 case C13-04442EMC and declared plaintiff a vexatious litigant. In addition, judge Chen
22 subjected plaintiff's further complaints to pre-filing review. Doc. No. E40.

23 77. In response to judge Chen's dismissal of case C13-04442EMC, plaintiff lodged a
24 complaint at the San Jose division on January 23, 2014 (Case No. C14-80017RMW, "Docket

1 MA"). Acting under judge Chen's dismissal order, deputy clerk Macic assigned the complaint to
2 judge Koh for pre-filing review.

3 78. In response to judge Chen's dismissal of case C13-04442EMC, plaintiff lodged a
4 complaint at the San Francisco division on January 24, 2014 (Case No. C14-80018RS, "Docket
5 MB"). Acting under judge Chen's dismissal order, supervisor Voltz assigned the complaint to
6 judge Seeborg for pre-filing review.

7 79. On January 27, 2014, plaintiff informed deputy clerk Macic of the illegality of
8 judge Chen's order dismissing case C13-04442EMC. Plaintiff next asked deputy clerk Macic to
9 file the complaint in case C14-80017RMW and issue a summons to plaintiff. Deputy clerk Macic
10 refused and sought cover from supervisor Puli. Supervisor Puli told plaintiff that judge Whyte
11 was reviewing the complaint. Plaintiff then asked supervisor Puli to call judge Whyte to confirm.
12 In response, supervisor Puli demanded that plaintiff leave the clerk's office.

13 80. Also on January 27, 2014, plaintiff talked with defendant Yang about filing a
14 complaint through the district court's electronic case filing system ("ECF") on plaintiff's behalf.
15 Defendant Yang replied that he would do so only as plaintiff's counsel. Plaintiff agreed.

16 81. On January 28, 2014, plaintiff informed supervisor Voltz of the illegality of judge
17 Chen's order dismissing case C13-04442EMC. Plaintiff next asked supervisor Voltz to file the
18 complaint in case C14-80018RS and issue a summons to plaintiff. Supervisor Voltz refused.

19 82. On January 30, 2014, defendant Yang withdrew his commitment to represent
20 plaintiff in the district court.

21 83. Also on January 30, 2014, deputy marshal Martin E. Boyden (Id. No. 30052) and
22 deputy marshal Urbino Martinez (Id. No. 4997) questioned plaintiff about the incidents that
23 occurred at the district court on January 27 and 28 as well as plaintiff's engagement in potential
24 terrorist acts against the district court. ¶¶ 79, 81.

1 84. Again on January 30, 2014, judge Whyte dismissed case C14-80017RMW before
2 allowing plaintiff to file. Doc. No. MA4.

3 85. In response to judge Chen's dismissal of case C13-04442EMC, plaintiff lodged a
4 complaint at the Oakland division on February 3, 2014 (Case No. C14-80028JSW, "Docket
5 MC"). Acting under judge Chen's dismissal order, deputy clerk Lenahan assigned the complaint
6 to judge Wilken for pre-filing review.

7 86. Immediately afterwards, plaintiff presented deputy clerk Lenahan with another
8 complaint to file. Acting under judge Chen's dismissal order, deputy clerk Lenahan assigned the
9 complaint to judge Wilken for pre-filing review also (Case No. C14-80029JSW, "Docket MD").
10 After plaintiff pointed out that judge Chen's original order exempted the complaint from such
11 review, supervisor Hansen still directed deputy clerk Lenahan to persist.

12 87. As a result of judge Whyte's dismissal of case C14-80017RMW, plaintiff brought
13 a complaint to the San Jose division on February 6, 2014. Deputy clerk Watson received the
14 complaint and issued a summons and a scheduling order to plaintiff (Case No. C14-00567HRL).
15 Deputy clerk Watson then canceled the filing and assigned the complaint to judge White for pre-
16 filing review (Case No. C14-80030JSW, "Docket ME"). Exhibits I-III.

17 88. After judge Davila recused himself from case C14-80028JSW on February 5,
18 2014, clerk Wieking assigned the case to judge White on February 6. Doc. Nos. MC2, MC3.
19 Furthermore, clerk Wieking assigned case C14-80029JSW to judge White on February 6, after
20 judge Davila recused himself from the case on February 5. Doc. Nos. MD2, MD3.

21 89. On February 7, 2014, defendant Yang still declined to represent plaintiff in the
22 district court after learning about the cancellation of case C14-00567HRL.

23 90. Also on February 7, 2014, judge Seeborg dismissed case C14-80018RS before
24 allowing plaintiff to file. Doc. No. MB2.

1 91. On February 11, 2014, plaintiff brought a criminal complaint against deputy clerk
2 Watson to the San Jose division. Plaintiff had intended to deliver the criminal complaint to judge
3 Davila's chamber. Instead, a security guard at the courthouse entrance directed plaintiff to
4 deliver the criminal complaint to the clerk's office. Plaintiff later withdrew the complaint from
5 deputy clerk Watson's possession due to the obvious conflict of interest.

6 92. Later on February 11, 2014, plaintiff called deputy clerk Adams about delivering
7 the criminal complaint against deputy clerk Watson to judge Davila's chamber. Deputy clerk
8 Adams directed plaintiff to deliver the criminal complaint to the clerk's office instead.

9 93. On February 13, 2014, plaintiff again brought the criminal complaint against
10 deputy clerk Watson to the San Jose division. Plaintiff had intended to deliver the complaint to
11 district judge D. Lowell Jensen's courtroom. Exhibit IV. At the courthouse entrance, deputy
12 marshal Harwell ordered plaintiff to deliver the criminal complaint to the clerk's office instead.
13 Therein, deputy clerk Watson received the complaint and issued a receipt to plaintiff.

14 94. On February 18, 2014, plaintiff presented a criminal complaint against deputy
15 marshal Harwell to judge Guerrero-Daley through the courtroom deputy sheriff. Exhibit XI.
16 Judge Guerrero-Day refused to sign the complaint.

17 95. On February 19, 2014, plaintiff brought a crime report against deputy marshal
18 Harwell to the San Jose Police Department (the "SJPD"). Exhibit XII. The SJPD refused to file
19 the crime report.

20 96. On February 25, 2014, plaintiff mailed a crime report against deputy marshal
21 Harwell to both director Hylton and marshal O'Keefe. Exhibit V.

22 97. Due to the lack of response from either director Hylton or marshal O'Keefe,
23 plaintiff submitted a petition for impeachment to six members of the House Judiciary Committee
24 on March 11, 2014 (USPS Tracking Nos. 9114901230801375051284, 307). Exhibit VI.

1 98. On March 18, 2014, USPS tracking showed that plaintiff's March 11 petition for
2 impeachment was available for pickup at 11:49 a.m. Eastern time. *See* Exhibit VI.

3 99. On March 19, 2014, Financial Management Service ("FMS") of the Treasury
4 Department notified plaintiff about collecting certain debts owed to the Postal Service (Case
5 Nos. 2014083221A, 3486A, 3493A, 3749A, 3879A, 3967A, 4066A, 4303A). Exhibit VII. The
6 Postal Service started sending plaintiff monthly notice about these debts on September 27, 2010,
7 when case C10-00464RS was under litigation. The Postal Service mailed the last monthly notice
8 on January 22, 2014, after judge Chen dismissed case C14-04442EMC. Exhibit VIII.

9 100. On March 21, 2014, USPS tracking showed that plaintiff's March 11 petition for
10 impeachment was delivered on March 18 at 7:38 a.m. Eastern time. Exhibit IX.

11 101. On March 24, 2014, complainant sent the March 11 petition for impeachment to
12 nine additional members of the House Judiciary Committee by Fedex ground. Exhibit X.

13 102. Also on March 24, 2014, plaintiff informed FMS that the debts referred by the
14 Postal Service were still under litigation. ¶ 99. FMS replied that the collection process would
15 continue regardless.

16 103. On March 26, 2014, judge White dismissed case C14-80028JSW as well as case
17 C14-80030JSW before allowing plaintiff to file. Doc. Nos. MC4, ME2. ¶¶ 85, 87-88.

18 104. On March 28, 2014, Fedex tracking showed that the petition for impeachment
19 sent on March 24 was delivered at 1:15 p.m. Eastern time. ¶ 101. *See* Exhibit X.

20 105. On April 3, 2014, FMS informed plaintiff that collection of the debts still under
21 litigation had been suspended. ¶¶ 99, 102.

22 106. On April 25, 2014, plaintiff submitted a revised petition for impeachment to those
23 members of the House Judiciary Committee who had received the first petition for impeachment
24 earlier (Fedex Tracking No. 448373710015678). Exhibit XIII.

107. Defendants' engagement in tampering with court records, intimidation, and conspiracy has caused plaintiff to suffer from enduring insomnia. Thus, plaintiff is entitled to seek recovery for both compensatory and punitive damages from defendants.

CLAIMS

108. Claim 1 Fabrication: On May 31, 2012, deputy clerk Salinas-Harwell assigned case C12-02789LHK to judge Lloyd. ¶ 42. In so doing, deputy clerk Salinas-Harwell has fabricated the assignment and violated 18 U.S.C. § 1512(c).

109. Claim 2 Intimidation: Deputy clerk Salinas-Harwell assigned case C12-02789LHK to judge Lloyd so as to intimidate plaintiff into abandoning the case. In so doing, deputy clerk Salinas-Harwell has violated 18 U.S.C. § 1512(b).

110. Claim 3 Conspiracy: Judge Lloyd conspired with deputy clerk Salinas-Harwell for her to assign case C12-02789LHK to judge Lloyd himself. In so doing, judge Lloyd has violated 18 U.S.C. § 371.

111. Claim 4 Interference: On June 21, 2012, U.S. attorney Haag and assistant U.S. attorney Scharf moved to relate case C12-02789LHK to case C10-00464RS. ¶ 43. Because the motion to relate case C12-02789LHK to case C10-00464RS interferes with Civil L.R. 3-12, U.S. attorney Haag and assistant U.S. attorney Sharf have violated 18 U.S.C. § 1509.

112. Claim 5 Fabrication: Because the motion to relate case C12-02789LHK to case C10-00464RS interferes with Civil L.R. 3-12, U.S. attorney Haag and assistant U.S. attorney Scharf have fabricated the motion and violated 18 U.S.C. § 1512(c).

113. Claim 6 Intimidation: U.S. attorney Haag and assistant U.S. attorney Scharf moved to relate case C12-02789LHK to case C10-00464RS so as to intimidate plaintiff into abandoning the cases. In so doing, U.S. attorney Haag and assistant U.S. attorney Sharf have violated 18 U.S.C. § 1512(b).

1 114. Claim 7 Conspiracy: Judge Lloyd conspired with U.S. attorney Haag and assistant
2 U.S. attorney Scharf for them to move to relate case C12-02789LHK to case C10-00464RS. In
3 so doing, judge Lloyd has violated 18 U.S.C. § 371.

4 115. Claim 8 Fabrication: Judge Lloyd knowingly referred the motion to relate case
5 C12-02789LHK to case C10-00464RS to judge Seeborg. ¶ 45. In so doing, judge Lloyd has
6 fabricated the referral and violated 18 U.S.C. § 1512(c).

7 116. Claim 9 Intimidation: Judge Lloyd knowingly referred the motion to relate case
8 C12-02789LHK to case C10-00464RS to judge Seeborg to intimidate plaintiff into abandoning
9 the cases. In so doing, judge Lloyd has violated 18 U.S.C. § 1512(b).

10 117. Claim 10 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
11 conspired with judge Lloyd for him to refer the motion to relate case C12-02789LHK to case
12 C10-00464RS to judge Seeborg. In so doing, U.S. attorney Haag and assistant U.S. attorney
13 Scharf have violated 18 U.S.C. § 371.

14 118. Claim 11 Fabrication: On June 25, 2012, clerk Wieking assigned case C12-
15 02789LHK to judge Koh. ¶ 44. In so doing, clerk Wieking has fabricated the assignment and
16 violated 18 U.S.C. § 1512(c).

17 119. Claim 12 Intimidation: Clerk Wieking assigned case C12-02789LHK to judge
18 Koh so as to intimidate plaintiff into abandoning the case. In so doing, clerk Wieking has
19 violated 18 U.S.C. § 1512(b).

20 120. Claim 13 Conspiracy: Judge Koh, U.S. attorney Haag, and assistant U.S. attorney
21 Scharf conspired with clerk Wieking for him to assign case C12-02789LHK to judge Koh
22 herself. In so doing, judge Koh, U.S. attorney Haag, and assistant U.S. attorney Scharf have
23 violated 18 U.S.C. § 371.

1 121. Claim 14 Fabrication: On July 17, 2012, U.S. attorney Haag and assistant U.S.
2 attorney Scharf opposed plaintiff's July 16 motion to change time in case C12-02789LHK. ¶ 47.
3 In so doing, U.S. attorney Haag and assistant U.S. attorney Scharf have fabricated the opposition
4 and violated 18 U.S.C. § 1512(c).

5 122. Claim 15 Intimidation: U.S. attorney Haag and assistant U.S. attorney Scharf
6 opposed plaintiff's July 16, 2012 motion to change time in case C12-02789LHK to intimidate
7 plaintiff into abandoning the case. In so doing, U.S. attorney Haag and assistant U.S. attorney
8 Scharf have violated 18 U.S.C. § 1512(b).

9 123. Claims 16 Conspiracy: deputy clerk Brown conspired with U.S. attorney Haag
10 and assistant U.S. attorney Scharf for them to oppose plaintiff's July 16, 2012 motion to change
11 time in case C12-02789LHK. In so doing, deputy clerk Brown has violated 18 U.S.C. § 371.

12 124. Claim 17 Fabrication: On July 19, 2012, deputy clerk Brown put forth a notice
13 setting the initial case management conference in case C12-02789LHK for October 17. ¶ 48. In
14 so doing, deputy clerk Brown has fabricated the notice and violated 18 U.S.C. § 1512(c).

15 125. Claim 18 Intimidation: Deputy clerk Brown put forth the July 19, 2012 notice to
16 change time in case C12-02789LHK so as to intimidate plaintiff into abandoning the case. In so
17 doing, deputy clerk Brown has violated 18 U.S.C. § 1512(b).

18 126. Claim 19 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
19 conspired with deputy clerk Brown for her to put forth the July 19, 2012 notice to change time in
20 case C12-02789LHK. In so doing, U.S. attorney Haag and assistant U.S. attorney Scharf have
21 violated 18 U.S.C. § 371.

22 127. Claim 20 Interference: On August 9, 2012, U.S. attorney Haag and assistant U.S.
23 attorney Scharf's moved to dismiss case C12-02789LHK. ¶ 49. Because the motion to dismiss

1 case C12-02789LHK interferes with *Scheuer v. Rhodes*, 416 U.S. 232 (1974), U.S. attorney
2 Haag and assistant U.S. attorney Scharf have violated 18 U.S.C. § 1509.

3 128. Claim 21 Fabrication: Because the motion to dismiss case C12-02789LHK
4 interferes with *Scheuer*, U.S. attorney Haag and assistant U.S. attorney Scharf have fabricated
5 the motion and violated 18 U.S.C. § 1512(c).

6 129. Claim 22 Intimidation: U.S. attorney Haag and assistant U.S. attorney Scharf
7 moved to dismiss case C12-02789LHK to intimidate plaintiff into abandoning the case. In so
8 doing, U.S. attorney Haag and assistant U.S. attorney Scharf have violated 18 U.S.C. § 1512(b).

9 130. Claim 23 Conspiracy: Judge Koh conspired with U.S. attorney Haag and assistant
10 U.S. attorney Scharf for them to move to dismiss case C12-02789LHK. In so doing, judge Koh
11 has violated 18 U.S.C. § 371.

12 131. Claim 24 Fabrication: On August 10, 2012, U.S. attorney Haag and assistant U.S.
13 attorney Scharf moved to continue the October 17 case management conference in case C12-
14 02789LHK to November 15. ¶ 50. In so doing, U.S. attorney Haag and assistant U.S. attorney
15 Scharf have fabricated the motion and violated 18 U.S.C. § 1512(c).

16 132. Claim 25 Intimidation: On August 10, 2012, U.S. attorney Haag and assistant
17 U.S. attorney Scharf moved to change time in case C12-02789LHK so as to intimidate plaintiff
18 into abandoning the case. In so doing, U.S. attorney Haag and assistant U.S. attorney Scharf have
19 violated 18 U.S.C. § 1512(b).

20 133. Claim 26 Conspiracy: Judge Koh conspired with U.S. attorney Haag and assistant
21 U.S. attorney Scharf for them to move to continue the case management conference in case C12-
22 02789LHK to November 15, 2012. In so doing, judge Koh has violated 18 U.S.C. § 371.

23 134. Claim 27 Fabrication: On August 14, 2012, judge Koh continued the October 17
24 case management conference in case C12-02789LHK to November 15, before plaintiff's

1 opposition was due. ¶ 50. In so doing, judge Koh has fabricated the order and violated 18 U.S.C.
2 § 1512(c).

3 135. Claim 28 Intimidation: Judge Koh continued the October 17, 2012 case
4 management conference in case C12-02789LHK to November 15 to intimidate plaintiff into
5 abandoning the case. In so doing, judge Koh has violated 18 U.S.C. § 1512(b).

6 136. Claim 29 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
7 conspired with judge Koh for her to continue the October 17, 2012 case management conference
8 in case C12-02789LHK to November 15. In so doing, U.S. attorney Haag and assistant U.S.
9 attorney Scharf have violated 18 U.S.C. § 371.

10 137. Claim 30 Fabrication: On August 28, 2012, U.S. attorney Haag and assistant U.S.
11 attorney Scharf opposed plaintiff's first motions for sanctions and summary judgment in case
12 C12-02789LHK. ¶ 51. In so doing, U.S. attorney Haag and assistant U.S. attorney Scharf have
13 fabricated the opposition and violated 18 U.S.C. § 1512(c).

14 138. Claim 31 Intimidation: U.S. attorney Haag and assistant U.S. attorney Scharf
15 opposed plaintiff's first motions for sanctions and summary judgment in case C12-02789LHK so
16 as to intimidate plaintiff into abandoning the case. In so doing, U.S. attorney Haag and assistant
17 U.S. attorney Scharf have violated 18 U.S.C. § 1512(b).

18 139. Claim 32 Conspiracy: Judge Koh conspired with U.S. attorney Haag and assistant
19 U.S. attorney Scharf for them to oppose plaintiff's first motions for sanctions and summary
20 judgment in case C12-02789LHK. In so doing, judge Koh has violated 18 U.S.C. § 371.

21 140. Claim 33 Interference: On August 28, 2012, U.S. attorney Haag and assistant U.S.
22 attorney Scharf replied to plaintiff's opposition to the motion to dismiss case C12-02789LHK.
23 ¶ 51. Because the reply to plaintiff's opposition to the motion to dismiss interferes with *Scheuer*,
24 U.S. attorney Haag and assistant U.S. attorney Scharf have violated 18 U.S.C. § 1509.

1 141. Claim 34 Fabrication: Because the reply to plaintiff's opposition to the motion to
2 dismiss case C12-02789LHK interferes with *Scheuer*, U.S. attorney Haag and assistant U.S.
3 attorney Scharf have fabricated the reply and violated 18 U.S.C. § 1512(c).

4 142. Claim 35 Intimidation: U.S. attorney Haag and assistant U.S. attorney Scharf
5 replied to plaintiff's opposition to the motion to dismiss case C12-02789LHK so as to intimidate
6 plaintiff into abandoning the case. In so doing, U.S. attorney Haag and assistant U.S. attorney
7 Scharf have violated 18 U.S.C. § 1512(b).

8 143. Claim 36 Conspiracy: Judge Koh conspired with U.S. attorney Haag and assistant
9 U.S. attorney Scharf for them to reply to plaintiff's opposition to the motion to dismiss case C12-
10 02789LHK. In so doing, judge Koh has violated 18 U.S.C. § 371.

11 144. Claim 37 Fabrication: On August 28, 2012, deputy clerk Brown put forth a notice
12 continuing the hearing on plaintiff's first motions for sanctions and summary judgment in case
13 C12-02789LHK to November 15. ¶ 52. In so doing, deputy clerk Brown has fabricated the notice
14 and violated 18 U.S.C. § 1512(c).

15 145. Claim 38 Intimidation: Deputy clerk Brown continued the hearing on plaintiff's
16 first motions for sanctions and summary judgment in case C12-02789LHK to November 15,
17 2012 so as to intimidate plaintiff into abandoning the case. In so doing, deputy clerk Brown has
18 violated 18 U.S.C. § 1512(b).

19 146. Claim 39 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
20 conspired with deputy clerk Brown for her to continue the hearing on plaintiff's first motions for
21 sanctions and summary judgment in case C12-02789LHK to November 15, 2012. In so doing,
22 U.S. attorney Haag and assistant U.S. attorney Scharf have violated 18 U.S.C. § 371.

23 147. Claim 40 Fabrication: On November 8, 2012, U.S. attorney Haag and assistant
24 U.S. attorney Scharf filed the defense case management statement in case C12-02789LHK. ¶ 53.

1 In so doing, U.S. attorney Haag and assistant U.S. attorney Scharf have fabricated the statement
2 and violated 18 U.S.C. § 1512(c).

3 148. Claim 41 Intimidation: U.S. attorney Haag and assistant U.S. attorney Scharf filed
4 the defense case management statement in case C12-02789LHK so as to intimidate plaintiff into
5 abandoning the case. In so doing, U.S. attorney Haag and assistant U.S. attorney Scharf have
6 violated 18 U.S.C. § 1512(b).

7 149. Claim 42 Interference: On November 9, 2012, judge Koh dismissed case C12-
8 02789LHK. ¶ 54. Because the dismissal order interferes with *Scheuer*, judge Koh has violated 18
9 U.S.C. § 1509.

10 150. Claim 43 Fabrication: Because the order dismissing case C12-02789LHK
11 interferes with *Scheuer*, judge Koh has fabricated the order and violated 18 U.S.C. § 1512(c).

12 151. Claim 44 Intimidation: Judge Koh dismissed case C12-02789LHK to intimidate
13 plaintiff into abandoning the case. In so doing, judge Koh has violated 18 U.S.C. § 1512(b).

14 152. Claim 45 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
15 conspired with judge Koh for her to dismiss case C12-02789LHK. In so doing, U.S. attorney
16 Haag and assistant U.S. attorney Scharf have violated 18 U.S.C. § 371.

17 153. Claim 46 Fabrication: On November 9, 2012, judge Koh denied plaintiff's first
18 motions for sanctions and summary judgment in case C12-02789LHK. ¶ 54. In so doing, judge
19 Koh has fabricated the order and violated 18 U.S.C. § 1512(c).

20 154. Claim 47 Intimidation: Judge Koh denied plaintiff's first motions for sanctions
21 and summary judgment in case C12-02789LHK so as to intimidate plaintiff into abandoning the
22 case. In so doing, judge Koh has violated 18 U.S.C. § 1512(b).

23 155. Claim 48 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
24 conspired with judge Koh for her to deny plaintiff's first motions for sanctions and summary

1 judgment in case C12-02789LHK. In so doing, U.S. attorney Haag and assistant U.S. attorney
2 Scharf have violated 18 U.S.C. § 371.

3 156. Claim 49 Fabrication: On November 9, 2012, judge Koh denied plaintiff's first
4 motion to disqualify judge Lloyd from case C12-02789LHK. ¶ 54. In so doing, judge Koh has
5 fabricated the order and violated 18 U.S.C. § 1512(c).

6 157. Claim 50 Intimidation: Judge Koh denied plaintiff's first motion to disqualify
7 judge Lloyd from case C12-02789LHK so as to intimidate plaintiff into abandoning the case. In
8 so doing, judge Koh has violated 18 U.S.C. § 1512(b).

9 158. Claim 51 Conspiracy: Judge Lloyd conspired with judge Koh for her to deny
10 plaintiff's first motion to disqualify judge Lloyd himself from case C12-02789LHK. In so doing,
11 judge Lloyd has violated 18 U.S.C. § 371.

12 159. Claim 52 Fabrication: On November 21, 2012, deputy clerk Brown entered the
13 order dismissing case C12-02789LHK as judgment. ¶ 55. In so doing, deputy clerk Brown has
14 fabricated the judgment and violated 18 U.S.C. § 1512(c).

15 160. Claim 53 Intimidation: Deputy clerk Brown entered the order dismissing case
16 C12-02789LHK as judgment so as to intimidate plaintiff into abandoning the case. In so doing,
17 deputy clerk Brown has violated 18 U.S.C. § 1512(b).

18 161. Claim 54 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
19 conspired with deputy clerk Brown for her to enter the order dismissing case C12-02789LHK as
20 judgment. In so doing, U.S. attorney Haag and assistant U.S. attorney Scharf have violated 18
21 U.S.C. § 371.

22 162. Claim 55 Interference: On November 30, 2012, judge Koh denied plaintiff's first
23 motion to disqualify herself from case C12-02798LHK. Because the order interferes with 28
24 U.S.C. § 144, judge Koh has violated 18 U.S.C. § 1509.

1 163. Claim 56 Fabrication: Because judge Koh's order denying plaintiff's first motion
2 to disqualify herself from case C12-02789LHK interferes with 28 U.S.C. § 144, judge Koh has
3 fabricated the order and violated 18 U.S.C. § 1512(c).

4 164. Claim 57 Intimidation: Judge Koh denied plaintiff's first motion to disqualify
5 herself from case C12-02789LHK so as to intimidate plaintiff into abandoning the case. In so
6 doing, judge Koh has violated 18 U.S.C. § 1512(b).

7 165. Claim 58 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
8 conspired with judge Koh for her to deny plaintiff's first motion to disqualify judge Koh herself
9 from case C12-02789LHK. In so doing, U.S. attorney Haag and assistant U.S. attorney Scharf
10 have violated 18 U.S.C. § 371.

11 166. Claim 59 Interference: On November 30, 2012, judge Koh denied plaintiff's
12 second motion to disqualify judge Lloyd from case C12-02789LHK. ¶ 57. Because the order
13 interferes with 28 U.S.C. 144, judge Koh has violated 18 U.S.C. § 1509.

14 167. Claim 60 Fabrication: Because judge Koh's order denying plaintiff's second
15 motion to disqualify judge Lloyd from case C12-02789LHK interferes with 28 U.S.C. § 144,
16 judge Koh has fabricated the order and violated 18 U.S.C. § 1512(c).

17 168. Claim 61 Intimidation: Judge Koh denied plaintiff's second motion to disqualify
18 judge Lloyd from case C12-02789LHK so as to intimidate plaintiff into abandoning the case. In
19 so doing, judge Koh has violated 18 U.S.C. § 1512(b).

20 169. Claim 62 Conspiracy: Judge Lloyd conspired with judge Koh for her to deny
21 plaintiff's second motion to disqualify judge Lloyd himself from case C12-02789LHK. In so
22 doing, judge Lloyd has violated 18 U.S.C. § 371.

23 170. Claim 63 Interference: On December 6, 2012, U.S. attorney Haag and assistant
24 U.S. attorney Scharf opposed plaintiff's motion to vacate judgment in case C12-02789LHK,

1 second motions for summary judgment and sanctions, and second and third motions to disqualify
2 judge Koh and judge Lloyd from the case. ¶ 59. Because the opposition interferes with *Scheuer*,
3 U.S. attorney Haag and assistant U.S. attorney Scharf have violated 18 U.S.C § 1509.

4 171. Claim 64 Fabrication: Because the opposition to plaintiff's motion to vacate
5 judgment in case C12-02789LHK, second motions for summary judgment and sanctions, and
6 second and third motions to disqualify judge Koh and judge Lloyd from the case interferes with
7 *Scheuer*, U.S. attorney Haag and assistant U.S. attorney Scharf have fabricated the opposition
8 and violated 18 U.S.C. § 1512(c).

9 172. Claim 65 Intimidation: U.S. attorney Haag and assistant U.S. attorney Scharf
10 opposed plaintiff's motion to vacate judgment in case C12-02789LHK, second motions for
11 summary judgment and sanctions, and second and third motions to disqualify judge Koh and
12 judge Lloyd from the case so as to intimidate plaintiff into abandoning the case. In so doing, U.S.
13 attorney Haag and assistant U.S. attorney Scharf have violated 18 U.S.C. § 1512(b).

14 173. Claim 66 Conspiracy: Judge Koh and judge Lloyd conspired with U.S. attorney
15 Haag and assistant U.S. attorney Scharf for them to oppose plaintiff's motion to vacate judgment
16 in case C12-02789LHK, second motions for summary judgment and sanctions, and second and
17 third motions to disqualify judge Koh and judge Lloyd themselves from the case. In so doing,
18 judge Koh and judge Lloyd have violated 18 U.S.C. § 371.

19 174. Claim 67 Fabrication: On December 7, 2012, deputy clerk Brown put forth a
20 notice continuing the January 10, 2013 hearing on plaintiff's motion to vacate judgment in case
21 C12-02789LHK and second motions for summary judgment and sanctions to April 18, 2013. ¶
22 60. In so doing, deputy clerk Brown has fabricated the notice and violated 18 U.S.C. § 1512(c).

23 175. Claim 68 Intimidation: Deputy clerk Brown put forth the notice continuing the
24 January 10, 2013 hearing on plaintiff's motion to vacate judgment in case C12-02789LHK and

1 second motions for summary judgment and sanctions to April 18, 2013 in order to intimidate
2 plaintiff into abandoning the case. In so doing, deputy clerk Brown has violated 18 U.S.C. §
3 1512(b).

4 176. Claim 69 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
5 conspired with deputy clerk Brown for her to continue the January 10, 2013 hearing on
6 plaintiff's motion to vacate judgment in case C12-02789LHK and second motions for summary
7 judgment and sanctions to April 18, 2013. In so doing, U.S. attorney Haag and assistant U.S.
8 attorney Scharf have violated 18 U.S.C. § 371.

9 177. Claim 70 Fabrication: On March 1, 2013, judge Koh continued the April 18
10 hearing on plaintiff's motion to vacate judgment in case C12-02789LHK and second motions for
11 summary judgment and sanctions to May 2. ¶ 61. In so doing, judge Koh has fabricated the order
12 and violated 18 U.S.C. § 1512(c).

13 178. Claim 71 Intimidation: Judge Koh continued the April 18, 2013 hearing on
14 plaintiff's motion to vacate judgment in case C12-02789LHK and second motions for summary
15 judgment and sanctions to May 2, 2013 so as to intimidate plaintiff into abandoning the case. In
16 so doing, judge Koh has violated 18 U.S.C. § 1512(b).

17 179. Claim 72 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
18 conspired with judge Koh for her to continue the April 18, 2013 hearing on plaintiff's motion to
19 vacate judgment in case C12-02789LHK and second motions for summary judgment and
20 sanctions to May 2, 2013. In so doing, U.S. attorney Haag and assistant U.S. attorney Scharf
21 have violated 18 U.S.C. § 371.

22 180. Claim 73 Fabrication: On April 26, 2013, judge Koh continued the May 2, 2013
23 hearing on plaintiff's motion to vacate judgment in case C12-02789LHK and second motions for

1 summary judgment and sanctions to June 6, 2013. ¶ 62. In so doing, judge Koh has fabricated the
2 order and violated 18 U.S.C. § 1512(c).

3 181. Claim 74 Intimidation: Judge Koh continued the May 2, 1013 hearing on
4 plaintiff's motion to vacate judgment in case C12-02789LHK and second motions for summary
5 judgment and sanctions to June 6, 2013 so as to intimidate plaintiff into abandoning the case. In
6 so doing, judge Koh has violated 18 U.S.C. § 1512(b).

7 182. Claim 75 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
8 conspired with judge Koh for her to continue the May 2, 1013 hearing on plaintiff's motion to
9 vacate judgment in case C12-02789LHK and second motions for summary judgment and
10 sanctions to June 6, 2013. In doing so, U.S. attorney Haag and assistant U.S. attorney Scharf
11 have violated 18 U.S.C. § 371.

12 183. Claim 76 Fabrication: On May 30, 2013, judge Koh vacated the June 6, 2013
13 hearing on plaintiff's motion to vacate judgment in case C12-02789LHK and second motions for
14 summary judgment and sanctions. ¶ 63. In so doing, judge Koh has fabricated the order and
15 violated 18 U.S.C. § 1512(c).

16 184. Claim 77 Intimidation: Judge Koh vacated the June 6, 2013 hearing on plaintiff's
17 motion to vacate judgment in case C12-02789LHK and second motions for summary judgment
18 and sanctions so as to intimidate plaintiff into abandoning the case. In so doing, judge Koh has
19 violated 18 U.S.C. § 1512(b).

20 185. Claim 78 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
21 conspired with judge Koh for her to vacate the June 6, 2013 hearing on plaintiff's motion to
22 vacate judgment in case C12-02789LHK and second motions for summary judgment and
23 sanctions. In so doing, U.S. attorney Haag and assistant U.S. attorney Scharf have violated 18
24 U.S.C. § 371.

1 186. Claim 79 Interference: On June 10, 2013, judge Koh denied plaintiff's second
2 motion to disqualify herself from case C12-02789LHK. ¶ 64. Because the order interferes with
3 28 U.S.C. § 144, judge Koh has violated 18 U.S.C § 1509.

4 187. Claim 80 Fabrication: Because judge Koh's order denying plaintiff's second
5 motion to disqualify herself from case C12-02789LHK interferes with 28 U.S.C § 144, judge
6 Koh has fabricated the order and violated 18 U.S.C. § 1512(c).

7 188. Claim 81 Intimidation: Judge Koh denied plaintiff's second motion to disqualify
8 herself from case C12-02789LHK so as to intimidate plaintiff into abandoning the case. In so
9 doing, judge Koh has violated 18 U.S.C. § 1512(b).

10 189. Claim 82 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
11 conspired with judge Koh for her to deny plaintiff's second motion to disqualify judge Koh
12 herself from case C12-02789LHK. In so doing, U.S. attorney Haag and assistant U.S. attorney
13 Scharf have violated 18 U.S.C. § 371.

14 190. Claim 83 Interference: On June 10, 2013, judge Koh denied plaintiff's third
15 motion to disqualify judge Lloyd from case C12-02789LHK. ¶ 64. Because the order interferes
16 with 28 U.S.C. § 144, judge Koh has violated 18 U.S.C § 1509.

17 191. Claim 84 Fabrication: Because judge Koh's order denying plaintiff's third motion
18 to disqualify judge Lloyd from case C12-02789LHK interferes with 28 U.S.C § 144, judge Koh
19 has fabricated the order and violated 18 U.S.C. § 1512(c).

20 192. Claim 85 Intimidation: Judge Koh denied plaintiff's third motion to disqualify
21 judge Lloyd from case C12-02789LHK so as to intimidate plaintiff into abandoning the case. In
22 so doing, judge Koh has violated 18 U.S.C. § 1512(b).

23 193. Claim 86 Conspiracy: Judge Lloyd, U.S. attorney Haag, and assistant U.S.
24 attorney Scharf conspired with judge Koh for her to deny plaintiff's third motion to disqualify

1 judge Lloyd himself from case C12-02789LHK. In so doing, judge Lloyd, U.S. attorney Haag,
2 and assistant U.S. attorney Scharf have violated 18 U.S.C. § 371.

3 194. Claim 87 Interference: On June 10, 2013, judge Koh denied plaintiff's motion to
4 vacate judgment in case C12-02789LHK. ¶ 64. Because the order interferes with 28 U.S.C § 144,
5 judge Koh has violated 18 U.S.C. § 1509.

6 195. Claim 88 Fabrication: Because judge Koh's order denying plaintiff's motion to
7 vacate judgment in case C12-02789LHK interferes with 28 U.S.C. § 144, judge Koh has
8 fabricated the order and violated 18 U.S.C. § 1512(c).

9 196. Claim 89 Intimidation: Judge Koh denied plaintiff's motion to vacate judgment in
10 case C12-02789LHK so as to intimidate plaintiff into abandoning the case. In so doing, judge
11 Koh has violated 18 U.S.C. § 1512(b).

12 197. Claim 90 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
13 conspired with judge Koh for her to deny plaintiff's motion to vacate judgment in case C12-
14 02789LHK. In so doing, U.S. attorney Haag and assistant U.S. attorney Scharf have violated 18
15 U.S.C. § 371.

16 198. Claim 91 Interference: On June 10, 2013, judge Koh denied plaintiff's second
17 motions for summary judgment and sanctions in case C12-02789LHK. ¶ 64. Because the order
18 interferes with 28 U.S.C. § 144, judge Koh has violated 18 U.S.C. § 1509.

19 199. Claim 92 Fabrication: Because judge Koh's order denying plaintiff's second
20 motions for summary judgment and sanctions in case C12-02789LHK interferes with 28 U.S.C.
21 § 144, judge Koh has fabricated the order and violated 18 U.S.C. § 1512(c).

22 200. Claim 93 Intimidation: Judge Koh denied plaintiff's second motions for summary
23 judgment and sanctions in case C12-02789LHK so as to intimidate plaintiff into abandoning the
24 case. In so doing, judge Koh has violated 18 U.S.C. § 1512(b).

1 201. Claim 94 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
2 conspired with judge Koh for her to deny plaintiff's second motions for summary judgment and
3 sanctions in case C12-02789LHK. In so doing, U.S. attorney Haag and assistant U.S. attorney
4 Scharf have violated 18 U.S.C. § 371.

5 202. Claim 95 Fabrication: On October 13, 2013, clerk Wieking assigned case C13-
6 04442EMC to judge Chen. ¶ 67. In so doing, clerk Wieking has fabricated the assignment and
7 violated 18 U.S.C. § 1512(c).

8 203. Claim 96 Intimidation: Clerk Wieking assigned case C13-04442EMC to judge
9 Chen so as to intimidate plaintiff into abandoning the case. In so doing, clerk Wieking has
10 violated 18 U.S.C. § 1512(b).

11 204. Claim 97 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Cormier
12 conspired with clerk Wieking for him to assign case C13-04442EMC to judge Chen. In so doing,
13 U.S. attorney Haag and assistant U.S. attorney Cormier have violated 18 U.S.C. § 371.

14 205. Claim 98 Interference: On October 31, 2013, U.S. attorney Haag and assistant
15 U.S. attorney Cormier moved to relate case C13-04442EMC to cases C10-00464RS, C12-
16 02789LHK, and C13-03676SI. ¶ 68. Because the motion to relate case interferes with Civil L.R.
17 3-12, U.S. attorney Haag and assistant U.S. attorney Cormier have violate 18 U.S.C. § 1509.

18 206. Claim 99 Fabrication: Because the motion to relate case C13-04442EMC to cases
19 C10-00464RS, C12-01789LHK, and C13-03676SI interferes with Civil L.R. 3-12, U.S. attorney
20 Haag and assistant U.S. attorney Cormier have violated 18 U.S.C. § 1512(c).

21 207. Claim 100 Intimidation: U.S. attorney Haag and assistant U.S. attorney Cormier
22 moved to relate case C13-04442EMC to cases C10-00464RS, C12-01789LHK, and C13-
23 03676SI so as to intimidate plaintiff into abandoning the case. In so doing, U.S. attorney Haag
24 and assistant U.S. attorney Cormier have violated 18 U.S.C. § 1512(b).

1 208. Claim 101 Conspiracy: Judge Chen conspired with U.S. attorney Haag and
2 assistant U.S. attorney Cormier for them to move to relate case C13-04442EMC to cases C10-
3 00464RS, C12-01789LHK, and C13-03676SI. Thus, judge Chen has violated 18 U.S.C. § 371.

4 209. Claim 102 Fabrication: Judge Chen knowingly referred the motion to relate case
5 C13-04442EMC to cases C10-00464RS, C12-02789LHK, and C13-03676SI to judge Seeborg.
6 Doc. No. E21. Thus, judge Chen has fabricated the referral and violated 18 U.S.C. § 1512(c).

7 210. Claim 103 Intimidation: Judge Chen knowingly referred the motion to relate case
8 C13-04442EMC to cases C10-00464RS, C12-02789LHK, and C13-03676SI to judge Seeborg so
9 as to intimidate plaintiff into abandoning the case. In so doing, judge Chen has violated 18
10 U.S.C. § 1512(b).

11 211. Claim 104 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Cormier
12 conspired with judge Chen for him to refer the motion to relate case C13-04442EMC to cases
13 C10-00464RS, C12-01789LHK, and C13-03676SI to judge Seeborg. In so doing, U.S. attorney
14 Haag and assistant U.S. attorney Cormier have violated 18 U.S.C. § 371.

15 212. Claim 105 Interference: On November 5, 2013, U.S. attorney Haag and assistant
16 U.S. attorney Cormier moved to dismiss case C13-04442EMC. ¶ 69. Because the motion to
17 dismiss interferes with both *Mireles v. Waco*, 502 U.S. 9 (1991) and *Scheuer*, U.S. attorney Haag
18 and assistant U.S. attorney Cormier have violated 18 U.S.C. § 1509.

19 213. Claim 106 Fabrication: Because the motion to dismiss case C13-04442EMC
20 interferes with both *Mireles* and *Scheuer*, U.S. attorney Haag and assistant U.S. attorney Cormier
21 have fabricated the motion and violated 18 U.S.C. § 1512(c).

22 214. Claim 107 Intimidation: U.S. attorney Haag and assistant U.S. attorney Cormier
23 moved to dismiss case C13-04442EMC so as to intimidate plaintiff into abandoning the case.
24 Thus, U.S. attorney Haag and assistant U.S. attorney Cormier have violated 18 U.S.C. § 1512(b).

1 215. Claim 108 Conspiracy: Judge Chen conspired with U.S. attorney Haag and
2 assistant U.S. attorney Cormier for them to move to dismiss case C13-04442EMC. In doing so,
3 judge Chen has violated 18 U.S.C. § 371.

4 216. Claim 109 Fabrication: As a defendant in the case, judge Wilken authorized the
5 motion to dismiss case C13-04442EMC so as to avoid the liability incurred by deputy clerk
6 Brown and deputy clerk Salinas-Harwell's misconduct in case C12-02789LHK. ¶ 69. In doing
7 so, judge Wilken has violated 18 U.S.C. § 1512(c).

8 217. Claim 110 Intimidation: Judge Wilken authorized the motion to dismiss case C13-
9 04442EMC so as to intimidate plaintiff into abandoning the case. In doing so, judge Wilken has
10 violated 18 U.S.C. § 1512(b).

11 218. Claim 111 Conspiracy: Deputy clerk Brown and deputy clerk Salinas-Harwell
12 conspired with judge Wilken for her to authorize the motion to dismiss case C13-04442EMC.
13 Thus, deputy clerk Brown and deputy clerk Salinas-Harwell have violated 18 U.S.C. § 371.

14 219. Claim 112 Fabrication: As a defendant in the case, attorney general Holder
15 authorized the motion to dismiss case C13-04443EMC so as to avoid the liability incurred by
16 U.S. attorney Haag and assistant U.S attorney Scharf's misconduct in case C12-02789LHK. ¶
17 69. In so doing, attorney general Holder has violated 18 U.S.C. § 1512(c).

18 220. Claim 113 Intimidation: Attorney general Holder authorized the motion to dismiss
19 case C13-04442EMC so as to intimidate plaintiff into abandoning the case. In so doing, attorney
20 general Holder has violated 18 U.S.C. § 1512(b).

21 221. Claim 114 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
22 conspired with attorney general Holder for him to authorize the motion to dismiss case C13-
23 04442EMC. In so doing, U.S. attorney Haag and assistant U.S. attorney Scharf have violated 18
24 U.S.C. § 371.

1 222. Claim 115 Interference: On November 5, 2013, U.S. attorney Haag and assistant
2 U.S. attorney Cormier moved to exempt defendants in case C13-04442EMC from answering the
3 complaint. ¶ 69. Because the motion interferes with *Scheuer*, U.S. attorney Haag and assistant
4 U.S. attorney Cormier have violated 18 U.S.C. § 1509.

5 223. Claim 116 Fabrication: Because the motion to exempt defendants in case C13-
6 04442EMC from answering the complaint interferes with *Scheuer*, U.S. attorney Haag and
7 assistant U.S. attorney Cormier have fabricated the motion and violated 18 U.S.C. § 1512(c).

8 224. Claim 117 Intimidation: U.S. attorney Haag and assistant U.S. attorney Cormier
9 moved to exempt defendants in case C13-04442EMC from answering the complaint so as to
10 intimidate plaintiff into abandoning the case and, as a result, have violated 18 U.S.C. § 1512(b).

11 225. Claim 118 Conspiracy: Judge Chen conspired with U.S. attorney Haag and
12 assistant U.S. attorney Cormier for them to move to exempt defendants in case C13-04442EMC
13 from answering the complaint. In so doing, judge Chen has violated 18 U.S.C. § 371.

14 226. Claim 119 Interference: On November 6, 2013, judge Chen exempted defendants
15 in case C13-04442EMC from answering the complaint. ¶ 70. Because the order interferes with
16 *Scheuer*, judge Chen has violated 18 U.S.C. § 1509.

17 227. Claim 120 Fabrication: Because judge Chen's order exempting defendants in case
18 C13-04442EMC from answering the complaint interferes with *scheuer*, judge Chen has falsified
19 the order and violated 18 U.S.C. § 1512(c).

20 228. Claim 121 Intimidation: Judge Chen exempted the defendants in case C13-
21 04442EMC from answering the complaint so as to intimidate plaintiff into abandoning the case.
22 In so doing, judge Chen has violated 18 U.S.C. § 1512(b).

23 229. Claim 122 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Cormier
24 conspired with judge Chen for him to exempt the defendants in case C13-04442EMC from

1 answering the complaint. In so doing, U.S. attorney Haag and assistant U.S. attorney Cormier
2 have violated 18 U.S.C. § 371.

3 230. Claim 123 Interference: On November 14, 2013, U.S. attorney Haag and assistant
4 U.S. attorney Cormier moved to declare plaintiff a vexatious litigant in case C13-04442EMC.
5 ¶ 71. Because the vexatious litigant motion interferes with *Scheuer*, U.S. attorney Haag and
6 assistant U.S. attorney Cormier have violated 18 U.S.C § 1509.

7 231. Claim 124 Fabrication: Because the motion to declare plaintiff a vexatious litigant
8 in case C13-04442EMC interferes with *Scheuer*, U.S. attorney Haag and assistant U.S. attorney
9 Cormier have fabricated the motion and violated 18 U.S.C. § 1512(c).

10 232. Claim 125 Intimidation: U.S. attorney Haag and assistant U.S. attorney Cormier
11 moved to declare plaintiff a vexatious litigant in case C13-04442EMC so as to intimidate
12 plaintiff into abandoning the case and, as a result, have violated 18 U.S.C § 1512(b).

13 233. Claim 126 Conspiracy: Judge Chen conspired with U.S. attorney Haag and
14 assistant U.S. attorney Cormier for them to move to declare plaintiff a vexatious litigant in case
15 C13-04442EMC. In so doing, judge Chen has violated 18 U.S.C. § 371.

16 234. Claim 127 Fabrication: As a defendant in the case, judge Wilken authorized the
17 motion to declare plaintiff a vexatious litigant in case C13-04442EMC so as to avoid the liability
18 incurred by deputy clerk Brown and deputy clerk Salinas-Harwell's misconduct in case C12-
19 02789LHK. ¶ 71. In so doing, judge Wilken has violated 18 U.S.C. § 1512(c).

20 235. Claim 128 Intimidation: Judge Wilken authorized the motion to declare plaintiff a
21 vexatious litigant in case C13-04442EMC so as to intimidate plaintiff into abandoning the case.
22 In so doing, judge Wilken has violated 18 U.S.C. § 1512(b).

23 236. Claim 129 Conspiracy: Deputy clerk Brown and deputy clerk Salinas-Harwell
24 conspired with judge Wilken for her to authorize the motion to declare plaintiff a vexatious

1 litigant in case C13-04442EMC. In so doing, deputy clerk Brown and deputy clerk Salinas-
2 Harwell have violated 18 U.S.C. § 371.

3 237. Claim 130 Fabrication: As a defendant in the case, attorney general Holder
4 authorized the motion to declare plaintiff a vexatious litigant in case C13-04443EMC so as to
5 avoid the liability incurred by U.S. attorney Haag and assistant U.S attorney Scharf's misconduct
6 in case C12-02789LHK. ¶ 71. Thus, attorney general Holder has violated 18 U.S.C. § 1512(c).

7 238. Claim 131 Intimidation: Attorney general Holder authorized the motion to declare
8 plaintiff a vexatious litigant in case C13-04442EMC so as to intimidate plaintiff into abandoning
9 the case. In so doing, attorney general Holder has violated 18 U.S.C. § 1512(b).

10 239. Claim 132 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Scharf
11 conspired with attorney general Holder for him to authorize the motion to declare plaintiff a
12 vexatious litigant in case C13-04442EMC. In so doing, U.S. attorney Haag and assistant U.S.
13 attorney Scharf have violated 18 U.S.C. § 371.

14 240. Claim 133 interference: On November 20, 2013, U.S. attorney Haag and assistant
15 U.S. attorney Cormier replied to plaintiff's opposition to the motion to dismiss case C13-
16 04442EMC. ¶ 72. Because the reply interferes with *Scheuer*, U.S. attorney Haag and assistant
17 U.S. attorney Cormier have violated 18 U.S.C. § 1509.

18 241. Claim 134 Fabrication: Because the reply to plaintiff's opposition to the motion to
19 dismiss case C13-04442EMC interferes with *Scherer*, U.S. attorney Haag and assistant U.S.
20 attorney Cormier have fabricated the reply and violated 18 U.S.C. § 1512(c).

21 242. Claim 135 Intimidation: U.S. attorney Haag and assistant U.S. attorney Cormier
22 replied to plaintiff's opposition to the motion to dismiss case C13-04442EMC so as to intimidate
23 plaintiff into abandoning the case. In so doing, U.S. attorney Haag and assistant U.S. attorney
24 Cormier have violated 18 U.S.C. § 1512(b).

1 243. Claim 136 Conspiracy: Judge Chen conspired with U.S. attorney Haag and
2 assistant U.S. attorney Cormier for them to reply to plaintiff's opposition to the motion to
3 dismiss case C13-04442EMC. In so doing, judge Chen has violated 18 U.S.C. § 371.

4 244. Claim 137 Interference: On November 22, 2013, judge Chen denied plaintiff's
5 first motion to disqualify judge Chen himself from case C13-04442EMC. ¶ 73. Because the
6 order interferes with 28 U.S.C. § 144, judge Chen has violated 18 U.S.C. § 1509.

7 245. Claim 138 Fabrication: Because judge Chen's order denying plaintiff's first
8 motion to disqualify judge Chen himself from case C13-04442EMC interferes with 28 U.S.C. §
9 144, judge Chen has fabricated the order and violated 18 U.S.C. § 1512(c).

10 246. Claim 139 Intimidation: Judge Chen denied plaintiff's first motion to disqualify
11 judge Chen himself from case C13-04442EMC so as to intimidate plaintiff into abandoning the
12 case. In so doing, judge Chen has violated 18 U.S.C. § 1512(b).

13 247. Claim 140 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Cormier
14 conspired with judge Chen for him to deny plaintiff's first motion to disqualify judge Chen
15 himself from case C13-04442EMC. In so doing, U.S. attorney Haag and assistant U.S. attorney
16 Cormier have violated 18 U.S.C. § 371.

17 248. Claim 141 Interference: On December 3, 2013, U.S. attorney Haag and assistant
18 U.S. attorney Cormier replied to plaintiff's opposition to the vexatious litigant motion in case
19 C13-04442EMC. ¶ 74. Because the reply interferes with *Scheuer*, U.S. attorney Haag and
20 assistant U.S. attorney Cormier have violated 18 U.S.C. § 1509.

21 249. Claim 142 Fabrication: Because the reply to plaintiff's opposition to the vexatious
22 litigant motion in case C13-04442EMC interferes with *Scheuer*, U.S. attorney Haag and assistant
23 U.S. attorney Cormier have fabricated the reply and violated 18 U.S.C. § 1512(c).

1 250. Claim 143 Intimidation: U.S. attorney Haag and assistant U.S. attorney Cormier
2 replied to plaintiff's opposition to the vexatious litigant motion in case C13-0442EMC so as to
3 intimidate plaintiff into abandoning the case. In so doing, U.S. attorney Haag and assistant U.S.
4 attorney Cormier have violated 18 U.S.C. § 1512(b).

5 251. Claim 144 Conspiracy: Judge Chen conspired with U.S. attorney Haag and
6 assistant U.S. attorney Cormier for them to reply to plaintiff's opposition to the vexatious litigant
7 motion in case C13-04442EMC. In so doing, judge Chen has violated 18 U.S.C. § 371.

8 252. Claim 145 Interference: On December 10, 2013, judge Chen denied plaintiff's
9 second motion to disqualify judge Chen himself from case C13-04442EMC. ¶ 75. Because the
10 order interferes with 28 U.S.C. § 144, judge Chen has violated 18 U.S.C. § 1509.

11 253. Claim 146 Fabrication: Because judge Chen's order denying plaintiff's second
12 motion to disqualify judge Chen himself from case C13-04442EMC interferes with 28 U.S.C. §
13 144, judge Chen has fabricated the order and violated 18 U.S.C. § 1512(c).

14 254. Claim 147 Intimidation: Judge Chen denied plaintiff's second motion to
15 disqualify judge Chen himself from case C13-04442EMC so as to intimidate plaintiff into
16 abandoning the case. In so doing, judge Chen has violated 18 U.S.C. § 1512(b).

17 255. Claim 148 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Cormier
18 conspired with judge Chen for him to deny plaintiff's second motion to disqualify judge Chen
19 himself from case C13-04442EMC. In so doing, U.S. attorney Haag and assistant U.S. attorney
20 Cormier have violated 18 U.S.C. § 371.

21 256. Claim 149 Interference: On December 20, 2013, judge Chen dismissed case C13-
22 04442EMC. ¶ 76. Because the dismissal order interferes with 28 U.S.C. § 144 and *Scheuer*,
23 judge Chen has violated 18 U.S.C. § 1509.

1 257. Claim 150 Fabrication: Because judge Chen's order dismissing case C13-
2 04442EMC interferes with 28 U.S.C. § 144 and *Scheuer*, judge Chen has fabricated the order
3 and violated 18 U.S.C § 1512(c).

4 258. Claim 151 Intimidation: Judge Chen dismissed case C13-04442EMC so as to
5 intimidate plaintiff into abandoning the case and, as a result, have violated 18 U.S.C. § 1512(b).

6 259. Claim 152 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Cormier
7 conspired with judge Chen for him to dismiss case C13-04442EMC. In so doing, U.S. attorney
8 Haag and assistant U.S. attorney Cormier have violated 18 U.S.C. § 371.

9 260. Claim 153 Interference: On December 20, 2013, judge Chen declared plaintiff a
10 vexatious litigant in case C13-04442EMC and subjected plaintiff's further complaints to pre-
11 filing review. ¶ 76. Because the order interferes with 28 U.S.C. § 144 and *Scheuer*, judge Chen
12 has violated 18 U.S.C. § 1509.

13 261. Claim 154 Fabrication: Because judge Chen's order declaring plaintiff a vexatious
14 litigant in case C13-04442EMC interferes with 28 U.S.C. § 144 and *Scheuer*, judge Chen has
15 fabricated the order and violated 18 U.S.C. § 1512(c).

16 262. Claim 155 Intimidation: Judge Chen declared plaintiff a vexatious litigant in case
17 C13-04442EMC and subjected plaintiff's further complaints to pre-filing review to intimidate
18 plaintiff into abandoning the case. In so doing, judge Chen has violated 18 U.S.C. § 1512(b).

19 263. Claim 156 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Cormier
20 conspired with judge Chen for him to declare plaintiff a vexatious litigant in case C13-
21 04442EMC and, as a result, have violated 18 U.S.C. § 371.

22 264. Claim 157 Interference: On December 20, 2013, judge Chen denied plaintiff's
23 third motion to disqualify judge Chen himself from case C13-04442EMC. ¶ 76. Because the
24 order interferes with 28 U.S.C. § 144, judge Chen has violated 18 U.S.C. § 1509.

1 265. Claim 158 Fabrication: Because judge Chen's order denying plaintiff's third
2 motion to disqualify judge Chen himself from case C13-04442EMC interferes with 28 U.S.C. §
3 144, judge Chen has fabricated the order and violated 18 U.S.C. § 1512(c).

4 266. Claim 159 Intimidation: Judge Chen denied plaintiff's third motion to disqualify
5 judge Chen himself from case C13-04442EMC so as to intimidate plaintiff into abandoning the
6 case. In so doing, judge Chen has violated 18 U.S.C. § 1512(b).

7 267. Claim 160 Conspiracy: U.S. attorney Haag and assistant U.S. attorney Cormier
8 conspired with judge Chen for him to deny plaintiff's third motion to disqualify judge Chen
9 himself from case C13-04442EMC. In so doing, U.S. attorney Haag and assistant U.S. attorney
10 Cormier have violated 18 U.S.C. § 371.

11 268. Claim 161 Fabrication: Acting under color of judge Chen's order dismissing case
12 C13-04442EMC, deputy clerk Macic assigned case C14-80017RMW to judge Koh for pre-filing
13 review on January 23, 2014. ¶ 77. In so doing, deputy clerk Macic has fabricated the assignment
14 and violated 18 U.S.C. § 1512(c).

15 269. Claim 162 Intimidation: Deputy clerk Macic assigned case C14-80017RMW to
16 judge Koh for pre-filing review so as to intimidate plaintiff into abandoning the case. In so
17 doing, deputy clerk Macic has violated 18 U.S.C. § 1512(b).

18 270. Claim 163 Conspiracy: Judge Koh conspired with deputy clerk Macic for deputy
19 clerk Macic to assign case C14-80017RMW to judge Koh herself for pre-filing review. In so
20 doing, judge Koh has violated 18 U.S.C. § 371.

21 271. Claim 164 Fabrication: Acting under color of judge Chen's order dismissing case
22 C13-04442EMC, supervisor Voltz assigned case C14-80018RS to judge Seeborg for pre-filing
23 review on January 24, 2014. ¶ 78. In so doing, supervisor Voltz has fabricated the assignment
24 and violated 18 U.S.C. § 1512(c).

1 272. Claim 165 Intimidation: Supervisor Voltz assigned case C14-80018RS to judge
2 Seeborg for pre-filing review so as to intimidate plaintiff into abandoning the case, In so doing,
3 supervisor Voltz has violated 18 U.S.C. § 1512(b).

4 273. Claim 166 Conspiracy: Judge Seeborg conspired with supervisor Voltz for her to
5 assign case C14-80018RS to judge Seeborg himself for pre-filing review. In so doing, judge
6 Seeborg has violated 18 U.S.C § 371.

7 274. Claim 167 Fabrication: On January 27, 2014, deputy clerk Macic refused to file
8 the complaint in case C14-80017RMW. ¶ 79. In so doing, deputy clerk Macic has violated 18
9 U.S.C. § 1512(c).

10 275. Claim 168 Intimidation: Deputy clerk Macic refused to file the complaint in case
11 C14-80017RMW so as to intimidate plaintiff into abandoning the case. In so doing, deputy clerk
12 Macic has violated 18 U.S.C. § 1512(b).

13 276. Claim 169 Conspiracy: Judge Chen and judge Whyte conspired with deputy clerk
14 Macic for her to refuse to file the complaint in case C14-80017RMW. In so doing, judge Chen
15 and judge Whyte have violated 18 U.S.C. § 371.

16 277. Claim 170 Fabrication: On January 27, 2014, supervisor Puli refused to confirm
17 that case C14-80017RMW was assigned to judge Whyte for pre-filing review. ¶ 79. In so doing,
18 supervisor Puli has violated 18 U.S.C. § 1512(c).

19 278. Claim 171 Intimidation: Supervisor Puli refused to confirm that case C14-
20 80017RMW was assigned to judge Whyte for pre-filing review so as to intimidate plaintiff into
21 abandoning the case. In so doing, supervisor Puli has violated 18 U.S.C. § 1512(b).

22 279. Claim 172 Conspiracy: Judge Whyte conspired with supervisor Puli for her to
23 refuse to confirm that case C14-80017RMW was assigned to judge Whyte himself for pre-filing
24 review. In so doing, judge Whyte has violated 18 U.S.C. § 371.

1 280. Claim 173 Fabrication: On January 28, 2014, supervisor Voltz refused to file the
2 complaint in case C14-80018RS. ¶ 81. In so doing, supervisor Voltz has violated 18 U.S.C. §
3 1512(c).

4 281. Claim 174 Intimidation: Supervisor Voltz refused to file the complaint in case
5 C14-80018RS so as to intimidate plaintiff into abandoning the case. In so doing, supervisor
6 Voltz has violated 18 U.S.C. § 1512(b).

7 282. Claim 175 Conspiracy: Judge Chen and judge Seeborg conspired with supervisor
8 Voltz for her to refuse to file the complaint in case C14-80018RS. In so doing, judge Chen and
9 judge Seeborg have violated 18 U.S.C. § 371.

10 283. Claim 176 Fabrication: Supervisor Puli and supervisor Voltz filed false reports
11 with the United States Marshals Service about the incidents that occurred at the district court on
12 January 27 and 28, 2014 to cover up their own misconduct. ¶¶ 79, 81, 83. In so doing, supervisor
13 Puli and supervisor Voltz have violated 18 U.S.C. § 1512(c).

14 284. Claim 177 Intimidation: Supervisor Puli and supervisor Voltz filed false reports
15 about the incidents that occurred at the district court on January 27 and 28, 2014 to intimidate
16 plaintiff into abandoning cases C14-80017RMW and C14-80018RS. In so doing, supervisor Puli
17 and supervisor Voltz have violated 18 U.S.C. § 1512(b).

18 285. Claim 178 Conspiracy: Judge Chen, judge Whyte, and judge Seeborg conspired
19 with supervisor Puli and supervisor Voltz for them to file the false reports about the incidents
20 that occurred at the district court on January 27 and 28, 2014. In so doing, judge Chen, judge
21 Whyte, and judge Seeborg have violated 18 U.S.C. § 371.

22 286. Claim 179 Interference: Acting under color of judge Chen's order dismissing case
23 C13-04442EMC, judge Whyte dismissed case C14-80017RMW on January 30, 2014 before
24 allowing plaintiff to file. ¶ 84. Because judge Chen's order dismissing case C13-04442EMC

1 interferes with *Scheuer*, judge Whyte's order dismissing case C14-80017RMW interferes with
2 *Scheuer*. As a result, judge Whyte has violated 18 U.S.C. § 1509.

3 287. Claim 180 Fabrication: Because judge Whyte's order dismissing case C14-
4 80017RMW interferes with *Scheuer* and the Fifth Amendment of the Constitution, judge Whyte
5 has fabricated the order and violated 18 U.S.C. § 1512(c).

6 288. Claim 181 Intimidation: Judge Whyte dismissed case C14-80017RMW so as to
7 intimidate plaintiff into abandoning the case. In so doing, judge Whyte has violated 18 U.S.C. §
8 1512(b).

9 289. Claim 182 Conspiracy: Judge Chen conspired with judge Whyte for judge Whyte
10 to dismiss case C14-80017RMW. In so doing, judge Chen has violated 18 U.S.C. § 371.

11 290. Claim 183 Fabrication: Acting under color of judge Chen's order dismissing case
12 C13-04442EMC, deputy clerk Lenahan assigned case C14-80028JSW to judge Wilken for pre-
13 filing review on February 3, 2014. ¶ 85. In so doing, deputy clerk Lenahan has fabricated the
14 assignment and violated 18 U.S.C. § 1512(c).

15 291. Claim 184 Intimidation: Deputy clerk Lenahan assigned case C14-80028JSW to
16 judge Wilken for pre-filing review so as to intimidate plaintiff into abandoning the case. In so
17 doing, deputy clerk Lenahan has violated 18 U.S.C. § 1512(b).

18 292. Claim 185 Conspiracy: Judge Wilken conspired with deputy clerk Lenahan for
19 deputy clerk Lenahan to assign case C14-80028JSW to judge Wilken herself for pre-filing
20 review. In so doing, judge Wilken has violated 18 U.S.C. § 371.

21 293. Claim 186 Fabrication: Acting under color of judge Chen's order dismissing case
22 C13-04442EMC, supervisor Hansen directed deputy clerk Lenahan to persist in assigning the
23 complaint in case C14-80029JSW to judge Wilken for pre-filing review on February 3, 2014.
24 ¶ 86. In so doing, supervisor Hansen has violated 18 U.S.C. § 1512(c).

1 294. Claim 187 Intimidation: Supervisor Hansen directed deputy clerk Lenahan to
2 persist in assigning the complaint in case C14-80029JSW to judge Wilken for pre-filing review
3 so as to intimidate plaintiff into abandoning the case. In so doing, supervisor Hansen has violated
4 18 U.S.C. § 1512(b).

5 295. Claim 188 Conspiracy: Judge Chen, judge Koh and judge Wilken conspired with
6 supervisor Hansen for her to direct deputy clerk Lenahan to persist in assigning the complaint in
7 case C14-80029JSW to judge Wilken herself for pre-filing review. In so doing, judge Chen,
8 judge Koh, and judge Wilken have violated 18 U.S.C. § 371.

9 296. Claim 189 Fabrication: On February 6, 2014 deputy clerk Watson canceled case
10 C14-00567HRL. ¶ 87. In so doing, deputy clerk Watson has fabricated the summons and the
11 scheduling order in case C14-00567HRL and violated 18 U.S.C. § 1512(c).

12 297. Claim 190 Intimidation: Deputy clerk Watson canceled case C14-00567HRL so
13 as to intimidate plaintiff into abandoning the case. In so doing, deputy clerk Watson has violated
14 18 U.S.C. § 1512(b).

15 298. Claim 191 Conspiracy: Judge Chen and judge Whyte conspired with deputy clerk
16 Watson for her to cancel case C14-00567HRL. In so doing, judge Chen and judge Whyte have
17 violated 18 U.S.C. § 371.

18 299. Claim 192 Fabrication: Acting under color of judge Chen's order dismissing
19 case C13-04442EMC, deputy clerk Watson canceled case C14-00567HRL and assigned the
20 complaint in case C14-00567HRL to judge White for pre-filing review. ¶ 87. In so doing, deputy
21 clerk Watson has fabricated the assignment and violated 18 U.S.C. § 1512(c).

22 300. Claim 193 Intimidation: Deputy clerk Watson assigned the complaint in case
23 C14-00567HRL to judge White for pre-filing review so as to intimidate plaintiff into abandoning
24 the case. In so doing, deputy clerk Watson has violated 18 U.S.C. § 1512(b).

1 301. Claim 194 Conspiracy: Judge Chen, judge Whyte, and judge White conspired
2 with deputy clerk Watson for her to cancel case C14-00567HRL and assigned the complaint in
3 the case to judge White himself for pre-filing review. In so doing, judge Chen, judge Whyte, and
4 judge White have violated 18 U.S.C. § 371.

5 302. Claim 195 Fabrication: On February 6, 2014, clerk Wieking assigned case C14-
6 80028JSW to judge White for pre-filing review. ¶ 88. In so doing, clerk Wieking has fabricated
7 the assignment and violated 18 U.S.C. § 1512(c).

8 303. Claim 196 Intimidation: Clerk Wieking assigned case C14-80028JSW to judge
9 White for pre-filing review so as to intimidate plaintiff into abandoning the case. In so doing,
10 clerk Wieking has violated 18 U.S.C. § 1512(b).

11 304. Claim 197 Conspiracy: Judge Chen, judge Wilken, and judge White conspired
12 with clerk Wieking for him to assign case 14-80028JSW to judge White himself for pre-filing
13 review. In so doing, judge Chen, judge Wilken, and judge White have violated 18 U.S.C. § 371.

14 305. Claim 198 Fabrication: On February 6, 2014, clerk Wieking assigned case C14-
15 80029JSW to judge White for pre-filing review. ¶ 88. In so doing, clerk Wieking has fabricated
16 the assignment and violated 18 U.S.C. § 1512(c).

17 306. Claim 199 Intimidation: Clerk Wieking assigned case C14-80029JSW to judge
18 White for pre-filing review so as to intimidate plaintiff into abandoning the case. In so doing,
19 clerk Wieking has violated 18 U.S.C. § 1512(b).

20 307. Claim 200 Conspiracy: Judge Chen, judge Koh, and judge White conspired with
21 clerk Wieking for him to assign case C14-80029JSW to judge White himself for pre-filing
22 review. In so doing, judge Chen, judge Koh, and judge White have violated 18 U.S.C. § 371.

23 308. Claim 201 Fabrication: On February 7, 2014, defendant Yang refused to file the
24 complaint in case C14-80030JSW on plaintiff's behalf so as to cover up both judge Chen's order

1 dismissing case C13-04442EMC and judge Whyte's order dismissing case C14-80017RMW.

2 ¶ 89. In so doing, defendant Yang has violated 18 U.S.C. § 1512(c).

3 309. Claim 202 Intimidation: Defendant Yang refused to file the complaint in case
4 C14-80030JSW on plaintiff's behalf so as to intimidate plaintiff into abandoning the case. In so
5 doing, defendant Yang has violated 18 U.S.C. § 1512(b).

6 310. Claim 203 Conspiracy: Judge Chen and judge Whyte conspired with defendant
7 Yang for him to refuse to file the complaint in case C14-80030JSW on plaintiff's behalf. In so
8 doing, judge Chen and judge Whyte have violated 18 U.S.C. § 371.

9 311. Claim 204 Interference: Acting under color of judge Chen's order dismissing case
10 C13-04442EMC, judge Seeborg dismissed case C14-80018RS on February 7, 2014 before
11 allowing plaintiff to file. ¶ 90. Because judge Chen's order dismissing case C13-04442EMC
12 interferes with *Scheuer*, judge Seeborg's order dismissing case C14-80018RS interferes with
13 *Scheuer*. As a result, judge Seeborg has violated 18 U.S.C. § 1509.

14 312. Claim 205 Fabrication: Because judge Seeborg's order dismissing case C14-
15 80018RS interferes with *Scheuer* and the Fifth Amendment of the Constitution, judge Seeborg
16 has fabricated the order and violated 18 U.S.C. § 1512(c).

17 313. Claim 206 Intimidation: Judge Seeborg dismissed case C14-80018RS so as to
18 intimidate plaintiff into abandoning the case. In so doing, judge Seeborg has violated 18 U.S.C.
19 § 1512(b).

20 314. Claim 207 Conspiracy: Judge Chen conspired with judge Seeborg for judge
21 Seeborg to dismiss case C14-80018RS. In so doing, judge Chen has violated 18 U.S.C. § 371.

22 315. Claim 208 Fabrication: On February 11, 2014, deputy clerk Adams directed
23 plaintiff to deliver the criminal complaint against deputy clerk Watson to the clerk's office at the
24 district court. ¶ 92. In so doing, deputy clerk Adams has violated 18 U.S.C. § 1512(c).

1 316. Claim 209 Intimidation: Deputy clerk Adams directed plaintiff to deliver the
2 criminal complaint against deputy clerk Watson to the clerk's office at the district court so as to
3 intimidate plaintiff into abandoning case C14-00456HRL and has violated 18 U.S.C. § 1512(b).

4 317. Claim 210 Conspiracy: Deputy clerk Watson conspired with deputy clerk Adams
5 for him to direct plaintiff to deliver the criminal complaint against deputy clerk Watson herself to
6 the clerk's office at the district court and, as a result, has violated 18 U.S.C. § 371.

7 318. Claim 211 Fabrication: On February 13, 2014, deputy marshal Harwell ordered
8 plaintiff to deliver the criminal complaint against deputy clerk Watson to the clerk's office at the
9 district court instead of judge Jensen's courtroom. ¶ 93. In so doing, deputy marshal Harwell has
10 violated 18 U.S.C. § 1512(c).

11 319. Claim 212 Intimidation: Deputy marshal Harwell ordered plaintiff to deliver the
12 criminal complaint against deputy clerk Watson to the clerk's office at the district court instead
13 of judge Jensen's court room so as to intimidate plaintiff into abandoning case C14-00567HRL.
14 In so doing, deputy marshal Harwell has violated 18 U.S.C. § 1512(b).

15 320. Claim 213 Conspiracy: Judge Chen, judge Whyte, and deputy clerk Watson
16 conspired with deputy marshal Harwell for him to order plaintiff to deliver the criminal
17 complaint against deputy clerk Watson to the clerk's office at the district court instead of judge
18 Jensen's courtroom and, as a result, have violated 18 U.S.C. § 371.

19 321. Claim 214 Fabrication: On February 18, 2014, judge Guerrero-Daley refused to
20 sign plaintiff's criminal complaint against deputy marshal Harwell. ¶ 94. In so doing, judge
21 Guerrero-Daley has violated 18 U.S.C. § 1512(c).

22 322. Claim 215 Intimidation: Judge Guerrero-Daley refused to sign plaintiff's criminal
23 complaint against deputy marshal Harwell so as to intimidate plaintiff into abandoning case C14-
24 00567HRL. In so doing, judge Guerrero-Daley has violated 18 U.S.C. § 1512(b).

1 323. Claim 216 Conspiracy: Deputy marshal Harwell conspired with judge Guerrero-
2 Daley for her to refuse to sign plaintiff's criminal complaint against deputy marshal Harwell
3 himself. In so doing, deputy marshal Harwell has violated 18 U.S.C. § 371.

4 324. Claim 217 Fabrication: On February 19, 2014, the SJPD refused to file plaintiff's
5 crime report against deputy marshal Harwell. ¶ 95. In so doing, the SJPD has violated 18 U.S.C.
6 § 1512(c).

7 325. Claim 218 Intimidation: The SJPD refused to file plaintiff's crime report against
8 deputy marshal Harwell so as to intimidate plaintiff into abandoning case C14-00567HRL. In so
9 doing, the SJPD has violated 18 U.S.C. § 1512(b).

10 326. Claim 219 Conspiracy: Deputy marshal Harwell conspired with the SJPD for the
11 department to refuse to file plaintiff's crime report against deputy marshal Harwell himself. In so
12 doing, deputy marshal Harwell has violated 18 U.S.C. § 371.

13 327. Claim 220 Fabrication: Director Hylton has failed to respond to plaintiff's crime
14 report against deputy marshal Harwell thus far. ¶ 96. In so doing, director Hylton has violated 18
15 U.S.C. § 1512(c).

16 328. Claim 221 Intimidation: Director Hylton refused to respond to plaintiff's crime
17 report against deputy marshal Harwell so as to intimidate plaintiff into abandoning case C14-
18 00567HRL. In so doing, director Hylton has violated 18 U.S.C. § 1512(b).

19 329. Claim 222 Conspiracy: Deputy marshal Harwell conspired with director Hylton
20 for her to refuse to respond to plaintiff's crime report against deputy marshal Harwell himself. In
21 so doing, deputy marshal Harwell has violated 18 U.S.C. § 371.

22 330. Claim 223 Fabrication: Marshal O'Keefe has failed to respond to plaintiff's crime
23 report against deputy marshal Harwell thus far. ¶ 96. In so doing, marshal O'Keefe has violated
24 18 U.S.C. § 1512(c).

1 331. Claim 224 Intimidation: Marshal O'Keefe refused to respond to plaintiff's crime
2 report against deputy marshal Harwell so as to intimidate plaintiff into abandoning case C14-
3 00567HRL. In so doing, marshal O'Keefe has violated 18 U.S.C. § 1512(b).

4 332. Claim 225 Conspiracy: Deputy marshal Harwell conspired with marshal O'Keefe
5 for marshal O'Keefe to refuse to respond to plaintiff's crime report against deputy marshal
6 Harwell himself. In so doing, deputy marshal Harwell has violated 18 U.S.C. § 371.

7 333. Claim 226 Fabrication: As a defendant in case C13-04442EMC, attorney general
8 Holder has authorized both director Hylton and marshal O'Keefe's refusals to respond to
9 plaintiff's crime report against deputy marshal Harwell. ¶ 96. In so doing, attorney general
10 Holder has violated 18 U.S.C. § 1512(c).

11 334. Claim 227 Intimidation: Attorney general Holder authorized both director Hylton
12 and marshal O'Keefe's refusals to respond to plaintiff's crime report against deputy marshal
13 Harwell so as to intimidate plaintiff into abandoning case C14-00567HRL. In so doing, attorney
14 general Holder has violated 18 U.S.C. § 1512(b).

15 335. Claim 228 Conspiracy: Director Hylton and marshal O'Keefe conspired with
16 attorney general Holder for him to authorize their refusals to respond to plaintiff's crime report
17 against deputy marshal Harwell. In so doing, director Hylton and marshal O'Keefe have violated
18 18 U.S.C. § 371.

19 336. Claim 229 Fabrication: On March 18, 2014, USPS tracking showed that
20 plaintiff's March 11 petition for impeachment was available for pickup at 11:49 a.m. Eastern
21 time. ¶ 98. Yet on March 21, USPS tracking showed that the same petition was delivered on
22 March 18 at 7:38 a.m. Eastern time. ¶ 100. As the substitute defendant in case C10-00464RS,
23 postmaster general Donahoe has authorized the fabrication of USPS tracking of plaintiff's March
24 11 petition. In so doing, postmaster general Donahoe has violated 18 U.S.C. § 1512(c).

1 337. Claim 230 Intimidation: Postmaster general Donahoe authorized the fabrication of
2 USPS tracking of plaintiff's March 11 petition for impeachment so as to intimidate plaintiff into
3 abandoning the petition. In so doing, postmaster general Donahoe has violated 18 U.S.C. §
4 1512(b).

5 338. Claim 231 Conspiracy: As respondents in plaintiff's March 11 petition for
6 impeachment, judge Whyte, judge White, judge Chen, judge Koh, judge Seeborg, attorney
7 general Holder, commissioner Lebryk, director Hylton, marshal O'Keefe, deputy marshal
8 Harwell, U.S. attorney Haag, assistant U.S. attorney Scharf, and assistant U.S. attorney Cormier
9 conspired with postmaster general Donahoe for him to authorize the fabrication of USPS
10 tracking of plaintiff's March 11 petition for impeachment. In so doing, judge Whyte, judge
11 White, judge Chen, judge Koh, judge Seeborg, attorney general Holder, commissioner Lebryk,
12 director Hylton, marshal O'Keefe, deputy marshal Harwell, U.S. attorney Haag, assistant U.S.
13 attorney Scharf, and assistant U.S. attorney Cormier have violated 18 U.S.C. § 371.

14 339. Claim 232 Fabrication: As the substitute defendant in case C10-00464RS,
15 postmaster general Donahoe has authorized referral of the debts under litigation to FMS for
16 collection. ¶ 99. In so doing, postmaster general Donahoe has violated 18 U.S.C. § 1512(c).

17 340. Claim 233 Intimidation: Postmaster general Donahoe authorized referral of the
18 debts under litigation to FMS for collection so as to intimidate plaintiff into abandoning case
19 C12-02789LHK as well as succeeding cases. In so doing, postmaster general Donahoe has
20 violated 18 U.S.C. § 1512(b).

21 341. Claim 234 Conspiracy: As respondents in plaintiff's March 11 petition for
22 impeachment, judge Whyte, judge White, judge Chen, judge Koh, judge Seeborg, attorney
23 general Holder, commissioner Lebryk, director Hylton, marshal O'Keefe, deputy marshal
24 Harwell, U.S. attorney Haag, assistant U.S. attorney Scharf, and assistant U.S. attorney Cormier

1 conspired with postmaster general Donahoe for him to authorize referral of the debts under
2 litigation to FMS for collection. In so doing, judge Whyte, judge White, judge Chen, judge Koh,
3 judge Seeborg, attorney general Holder, commissioner Lebryk, director Hylton, marshal
4 O'Keefe, deputy marshal Harwell, U.S. attorney Haag, assistant U.S. attorney Scharf, and
5 assistant U.S. attorney Cormier have violated 18 U.S.C. § 371.

6 342. Claim 235 Fabrication: Commissioner Lebryk has authorized FMS's issuing of
7 the notices of collection of debts referred by the Postal Service. ¶ 99. In so doing, commissioner
8 Lebryk has violated 18 U.S.C. § 1512(c).

9 343. Claim 236 Intimidation: Commissioner Lebryk authorized FMS's issuing of the
10 notices of collection of debts referred by the Postal Service so as to intimidate plaintiff into
11 abandoning case C12-02789LHK as well as succeeding cases. In so doing, commissioner Lebryk
12 has violated 18 U.S.C. § 1512(b).

13 344. Claim 237 Conspiracy: Postmaster general Donahoe conspired with commissioner
14 Lebryk for him to authorize FMS's issuing of the notices of collection of debts referred by the
15 Postal Service. In so doing, postmaster general Donahoe has violated 18 U.S.C. § 371.

16 345. Claim 238 Fabrication: Commissioner Lebryk has authorized FMS's March 24,
17 2014 refusal to suspend collection of the debts referred by the Postal Service. ¶ 102. In so doing,
18 commissioner Lebryk has violated 18 U.S.C. § 1512(c).

19 346. Claim 239 Intimidation: Commissioner Lebryk authorized FMS's March 24, 2014
20 refusal to suspend collection of the debts referred by the Postal Service so as to intimidate
21 plaintiff into abandoning case C12-02789LHK and, as a result, has violated 18 U.S.C. § 1512(b).

22 347. Claim 240 Conspiracy: Postmaster general Donahoe conspired with commissioner
23 Lebryk for him to refuse to suspend collection of the debts referred by the Postal Service. In so
24 doing, postmaster general Donahoe has violated 18 U.S.C. § 371.

1 348. Claim 241 Interference: Acting under color of judge Chen's order dismissing
2 case C13-04442EMC, judge White dismissed case C14-80028JSW on March 26, 2014 before
3 allowing plaintiff to file. ¶ 103. Because judge Chen's order dismissing case C13-04442EMC
4 interferes with *Scheuer*, judge White's order dismissing case C14-80028JSW interferes with
5 *Scheuer*. As a result, judge White has violated 18 U.S.C. § 1509.

6 349. Claim 242 Fabrication: Because judge White's order dismissing case C14-
7 80028JSW interferes with both *Scheuer* and the Fifth Amendment of the Constitution, judge
8 White has fabricated the order and violated 18 U.S.C. § 1512(c).

9 350. Claim 243 Intimidation: Judge White dismissed case C14-80028JSW so as to
10 intimidate plaintiff into abandoning the case. In so doing, judge White has violated 18 U.S.C. §
11 1512(b).

12 351. Claim 244 Conspiracy: Judge Chen conspired with judge White for judge White
13 to dismiss case C14-80028JSW. In so doing, judge Chen has violated 18 U.S.C. § 371.

14 352. Claim 245 Interference: Acting under color of judge Chen's order dismissing
15 case C13-04442EMC, judge White dismissed case C14-80030JSW on March 26, 2014 before
16 allowing plaintiff to file. ¶ 103. Because judge Chen's order dismissing case C13-04442EMC
17 interferes with *Scheuer*, judge White's order dismissing case C14-80030JSW interferes with
18 *Scheuer*. As a result, judge White has violated 18 U.S.C. § 1509.

19 353. Claim 246 Fabrication: Because judge White's order dismissing case C14-
20 80030JSW interferes with both *Scheuer* and the Fifth Amendment of the Constitution, judge
21 White has fabricated the order and violated 18 U.S.C. § 1512(c).

22 354. Claim 247 Intimidation: Judge White dismissed case C14-80030JSW so as to
23 intimidate plaintiff into abandoning the case. In so doing, judge White has violated of 18 U.S.C.
24 § 1512(b).

355. Claim 248 Conspiracy: Judge Chen conspired with judge White for judge White to dismiss case C14-80030JSW. In so doing, judge Chen has violated 18 U.S.C. § 371.

356. Claim 249 Tort: Judge Wilken is liable for the above claims against clerk Wicking, supervisor Puli, supervisor Voltz, supervisor Hansen, deputy clerk Lenahan, deputy clerk Brown, deputy clerk Salinas-Harwell, deputy clerk Macic, deputy clerk Watson, and deputy clerk Adams as the chief judge of the district court. The liability arises from the Federal Tort Claims Act, 28 U.S.C. §§ 2671-2680.

357. Claim 250 Tort: Attorney general Holder is liable for the above claims against U.S. attorney Haag, assistant U.S. attorney Scharf, assistant U.S. attorney Cormier, director Hylton, marshal O'Keefe, and deputy marshal Harwell as well. The liability arises from the Federal Tort Claims Act, 28 U.S.C. §§ 2671-2680.

358. Claim 251 Tort: The Supreme Court bears the responsibility for supervising the district court. As a result, the Chief Justice is liable for the above claims against judge Wilken, judge Whyte, judge White, judge Chen, judge Koh, judge Seeborg, and judge Lloyd as well. The liability arises from the Federal Tort Claims Act, 28 U.S.C. §§ 2671-2680.

REQUEST FOR RELIEF

WHEREFORE, plaintiff respectfully requests that the court enter judgment against defendants and provide plaintiff the following relief:

A. A declaratory judgment that judge Wilken, judge Whyte, judge White, judge Chen, judge Koh, judge Seeborg, judge Lloyd, attorney general Holder, U.S. attorney Haag, assistant U.S. attorney Cormier, assistant U.S. attorney Scharf, clerk Wieking, supervisor Puli, supervisor Voltz, supervisor Hansen, deputy clerk Lenahan, deputy clerk Brown, deputy clerk Salinas-Harwell, deputy clerk Macic, deputy clerk Watson, deputy clerk Adams, director Hylton, marshal O'Keefe, deputy marshal Harwell, postmaster general Donahoe,

1 commissioner Lebryk, judge Guerrero-Daley, the San Jose Police Department, and
 2 defendant Yang engaged in tampering with court records, intimidation, and conspiracy
 3 in case C12-02789LHK or succeeding cases.

4 B. Referring judge Wilken, judge Whyte, judge White, judge Chen, judge Koh, judge
 5 Seeborg, judge Lloyd, attorney general Holder, U.S. attorney Haag, assistant U.S.
 6 attorney Cormier, assistant U.S. attorney Scharf, clerk Wieking, supervisor Puli,
 7 supervisor Voltz, supervisor Hansen, deputy clerk Lenahan, deputy clerk Brown,
 8 deputy clerk Salinas-Harwell, deputy clerk Macic, deputy clerk Watson, deputy clerk
 9 Adams, director Hylton, marshal O'Keefe, deputy marshal Harwell, postmaster general
 10 Donahoe, commissioner Lebryk, judge Guerrero-Daley, the San Jose Police Department,
 11 and defendant Yang to the United States attorney's office for criminal prosecution.

12 C. Monetary damages in the amount of \$12,000,000.00 against judge Wilken,
 13 \$12,000,000.00 against judge Whyte, \$12,000,000.00 against judge White,
 14 \$16,000,000.00 against judge Chen, \$16,000,000.00 against judge Koh, \$8,000,000.00
 15 against judge Seeborg, \$8,000,000.00 against judge Lloyd, \$8,000,000.00 against clerk
 16 Wieking, \$8,000,000.00 against supervisor Puli, \$8,000,000.00 against supervisor Voltz,
 17 \$8,000,000.00 against supervisor Hansen, \$4,000,000.00 against deputy clerk Lenahan,
 18 \$4,000,000.00 against deputy clerk Brown, \$4,000,000.00 against deputy clerk Salinas-
 19 Harwell, \$4,000,000.00 against deputy clerk Macic, \$4,000,000.00 against deputy clerk
 20 Watson, \$4,000,000.00 against deputy clerk Adams, \$16,000,000.00 against attorney
 21 general Holder, \$16,000,000.00 against U.S. attorney Haag, \$16,000,000.00 against
 22 assistant U.S. attorney Cormier, \$16,000,000.00 against assistant U.S. attorney Sharf,
 23 \$12,000,000.00 against director Hylton, \$12,000,000.00 against marshal O'Keefe,
 24 \$12,000,000.00 against deputy marshal Harwell, \$12,000,000 against postmaster general

1 Donahoe, \$12,000,000.00 against commissioner Lebryk, \$4,000,000.00 against defendant
2 Yang, \$8,000,000.00 against judge Guerrero-Daley, and \$12,000,000.00 against the San
3 Jose Police department based on criminal claims 1-248.

4 D. Monetary punitive damages due to the criminal offenses committed by judge Wilken,
5 judge Whyte, judge White, judge Chen, judge Koh, judge Seeborg, judge Lloyd, clerk
6 Wieking, supervisor Puli, supervisor Voltz, supervisor Hansen, deputy clerk Lenahan,
7 deputy clerk Brown, deputy clerk Salinas-Harwell, deputy clerk Macic, deputy clerk
8 Watson, deputy clerk Adams, attorney general Holder, U.S. attorney Haag, assistant U.S.
9 attorney Cormier, assistant U.S. attorney Scharf, director Hylton, marshal O'Keefe,
10 deputy marshal Harwell, postmaster general Donahoe, commissioner Lebryk, defendant
11 Yang, judge Guerrero-Daley, and the San Jose Police Department.

12 E. Monetary damages in the amount of \$84,000,000.00 against the Chief Justice,
13 \$84,000,000.00 against the attorney general, and \$66,000,000.00 against judge Wilken
14 based on tort claims 249-251.

15 F. An order to disbar U.S. attorney Haag, assistant U.S. attorney Cormier, assistant U.S.
16 attorney Scharf, and defendant Yang from the district court.

17 G. Plaintiff's reasonable costs and expenses of this action in accordance with 42 U.S.C. §
18 1988 and other applicable law.

19 H. All other further relief to which plaintiff may be entitled.
20

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all issues for which a right to jury trial exists.

Respectfully submitted this 10th day of June 2014.

Kuang-bao Ou-young

KUANG-BAO P. OU-YOUNG

1362 Wright Avenue

Sunnyvale, California 94087

(408)736-7793

kbouyoung@yahoo.com

Plaintiff

Exhibit I

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
Northern District of California

E-filing

ADR

Plaintiff(s)

v.

JOHN G. ROBERTS, JR., et al

Defendant(s)

CV 14-00567

Civil Action No.

H71

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

RONALD M. WHYTE
District Judge
United States District Court
for the Northern District of California
280 South First Street
San Jose, CA 95113

EDWARD M. CHEN
District Judge
United States District Court
for the Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

~~RONALD M. WHYTE~~
1822 West Avenue
Sunnyvale, CA 94087

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: FEB 06 2014

Betty Watson
Signature of Clerk or Deputy Clerk

Exhibit II

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KUANG-BAO P. OU-YOUNG,

Plaintiff (s),

v.

JOHN G. ROBERTS, JR. ET AL,

Defendant(s).

No. C 14-00567 HRL

**ORDER SETTING INITIAL CASE
MANAGEMENT CONFERENCE
AND ADR DEADLINES****ORIGINAL FILED**
FEB 06 2014
Richard W. Winkling
Clerk, U.S. District Court
Northern District of California
San Jose

IT IS HEREBY ORDERED that this action is assigned to the Honorable Howard R. Lloyd. When serving the complaint or notice of removal, the plaintiff or removing defendant must serve on all other parties a copy of this order, the Notice of Assignment of Case to a United States Magistrate Judge for Trial, and all other documents specified in Civil Local Rule 4-2. Counsel must comply with the case schedule listed below unless the Court otherwise orders.

IT IS FURTHER ORDERED that this action is assigned to the Alternative Dispute Resolution (ADR) Multi-Option Program governed by ADR Local Rule 3. Counsel and clients shall familiarize themselves with that rule and with the material entitled "Dispute Resolution Procedures in the Northern District of California" on the Court ADR Internet site at cand.uscourts.gov/adr. A limited number of printed copies are available from the Clerk's Office for parties in cases not subject to the court's Electronic Case Filing program (ECF).

IT IS FURTHER ORDERED that plaintiff or removing defendant serve upon all parties the brochure entitled "Consenting To A Magistrate Judge's Jurisdiction In The Northern District Of California," additional copies of which can be downloaded from the following Internet site: <http://www.cand.uscourts.gov>.

CASE SCHEDULE -ADR MULTI-OPTION PROGRAM

Date	Event	Governing Rule
2/6/2014	Complaint filed	
5/20/2014	*Last day to:	<u>FRCivP 26(f) & ADR L.R.3-5</u>
	• meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan	
	• file ADR Certification signed by Parties and Counsel (form available at cand.uscourts.gov)	<u>Civil L.R. 16-8 (b) & ADR L.R. 3-5(b)</u>
	• file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference (form available at cand.uscourts.gov)	<u>Civil L.R. 16-8 (c) & ADR L.R. 3-5(b) & (c)</u>

6/3/2014	Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement per attached Standing Order re Contents of Joint Case Management Statement (also available at cand.uscourts.gov)	<u>FRCivP 26(a) (1)</u> <u>Civil L.R. 16-9</u>
6/10/2014	INITIAL CASE MANAGEMENT CONFERENCE (CMC) in Courtroom 2, 5th Floor SJ at 1:30 PM	<u>Civil L.R. 16-10</u>

*If the Initial Case Management Conference is continued, the other deadlines are continued accordingly.

Exhibit III

CV 14 80030 MISC. JSW

ADR

Received
E-filing
~~ORIGINAL FILED~~

FEB 06 2014

Richard A. Viking
Clerk, U.S. District Court
Northern District of California
San Jose

HRL

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION****KUANG-BAO P. OU-YOUNG,**

Plaintiff,

vs.

JOHN G. ROBERTS, JR.,

Chief Justice,

Supreme Court of the United States;

RONALD M. WHYTE,District Judge, United States District Court
for the Northern District of California;**EDWARD M. CHEN,**District Judge, United States District Court
for the Northern District of California;**SNOOKI R. PULI,**Supervisor, United States District Court
for the Northern District of California;**ODILE HANSEN,**Supervisor, United States District Court
for the Northern District of California;**SIMONE VOLTZ,**Supervisor, United States District Court
for the Northern District of California;**CYNTHIA LENAHA,**Deputy Clerk, United States District Court
for the Northern District of California,

Defendants.

Case No.

COMPLAINT**DEMAND FOR JURY TRIAL**

INTRODUCTION

1. On February 2, 2010, plaintiff filed a civil case against the United States Postal Service (the "Postal Service") (Case No. C10-00646RS, "Docket A"). On June 10, 2011, district judge Richard Seeborg issued a summary judgment and dismissed the case. On May 31, 2012, plaintiff filed a civil case against four postal employees with the district court (Case No. C12-02789LHK, "Docket B"). Case C12-02798LHK is based on the postal employees' presentation of false declarations in defense of the Postal Service in case C10-00464RS. On November 9, 2012, district judge Lucy H. Koh dismissed case C12-02789LHK. The dismissal order was entered as judgment on November 21, 2012. On June 10, 2013, judge Koh denied plaintiff's motion to vacate the November 21, 2012 dismissal judgment. As a result, plaintiff filed a civil case against judge Koh on September 25, 2013 (Case No. C13-04442EMC, "Docket E"). District judge Edward M. Chen dismissed case C13-04442EMC on December 20, 2013. In the dismissal order, judge Chen also declared plaintiff a vexatious litigant. In particular, judge Chen ruled:

Plaintiff must obtain leave of court before filing any further suits alleging any violations of the federal criminal statutes, pursuant to 18 U.S.C. § 1512(b), 18 U.S.C. § 1512(c), and 18 U.S.C. § 371, and the FTCA, codified at 28 U.S.C. § 2671 *et seq.*, involving parties that he named in the current case, or *Ou-Young I*, *Ou-Young II*, *Ou-Young III*, and *Ou-Young IV*, previously filed in the Court. The clerk of this Court shall not accept for filing any further complaints filed by Plaintiff alleging any claims described herein until that complaint has first been reviewed by a judge of this court and approved for filing. The pre-filing review will be made by the general duty judge who will determine whether Plaintiff has stated a potentially cognizable claim in a short intelligible and plain statement.

2. On January 23, 2014, plaintiff delivered a complaint to the clerk's office at the San Jose division. On January 30, 2014, district judge Ronald M. Whyte dismissed the delivered complaint instead of allowing plaintiff to file. In so doing, judge Whyte in conjunction with judge Chen have denied plaintiff procedural due process in violation of the Due Process Clause of the Fifth Amendment. Thus, this action seeks to hold both judge Whyte and judge Chen

1 accountable for their unconstitutional orders. Further, plaintiff seeks to recover damages from
2 severe mental stress caused by such unconstitutional practices.

3 **JURISDICTION AND VENUE**

4 3. This action raises questions under the Fifth Amendment of the United States
5 Constitution and the Civil Rights Act of 1871, 42 U.S.C. § 1983. This court has original
6 jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1343. This court has authority to
7 award the requested declaratory relief under 28 U.S.C. § 2201, the requested injunctive relief
8 under 28 U.S.C. § 1343(3), the requested damages under 28 U.S.C. § 1343(3), and legal costs
9 under 42 U.S.C. § 1988.

10 4. Venue is proper under 28 U.S.C. § 1391(b)(2) in the northern district of California
11 because a substantial part of the actions giving rise to this case occurred within the district.

12 **INTRADISTRICT ASSIGNMENT**

13 5. Pursuant to Civil L.R. 3-2(c) - (d) and 3-5, this is a civil rights case, in a non-
14 excepted category, suitable for assignment to the San Jose division because the civil action arose
15 in Santa Clara County.

16 **PLAINTIFF**

17 6. Plaintiff Kuang-Bao P. Ou-Young is a pro se litigant.

18 **DEFENDANTS**

19 7. Defendant John G. Roberts, Jr. is Chief Justice, Supreme Court of the United
20 States.

21 8. Defendant Donald M. Whyte is a district judge at the United States district court
22 for the northern district of California.

23 9. Defendant Edward M. Chen is a district judge at the United States district court
24 for the northern district of California.

STATEMENT OF FACTS

20. On December 20, 2013, judge Chen dismissed case C13-04442EMC and declared plaintiff a vexatious litigant. Doc. No. E40. Regarding the criminal claims based on 28 U.S.C. §§ 371, 1512(b), and 1512(c) in the complaint, judge Chen ruled, "As a threshold matter, this Court lacks jurisdiction because all federal defendants are immune from suit." *Ditto* at 7. Regarding the FTCA claims, judge Chen ruled, "This Court lacks jurisdiction over Plaintiff's FTCA claims because he failed to exhaust his administrative remedies." *Ditto* at 10. Based on these two rulings, judge Chen ordered: (*Ditto* at 16-17)

Plaintiff must obtain leave of court before filing any further suits alleging any violations of the federal criminal statutes, pursuant to 18 U.S.C. § 1512(b), 18 U.S.C. § 1512(c), and 18 U.S.C. § 371, and the FTCA, codified at 28 U.S.C. § 2671 *et seq.*, involving parties that he named in the current case, or *Ou-Young I*, *Ou-Young II*, *Ou-Young III*, and *Ou-Young IV*, previously filed in the Court. The clerk of this Court shall not accept for filing any further complaints filed by Plaintiff alleging any claims described herein until that complaint has first been reviewed by a judge of this court and approved for filing. The pre-filing review will be made by the general duty judge who will determine whether Plaintiff has stated a potentially cognizable claim in a short intelligible and plain statement.

However, there exists no justification for judge Chen's order to screen plaintiff's upcoming complaint. Plaintiff is bound to name judge Chen and judge Koh as defendants in that complaint. Under the presumption that judge Chen's rulings on the criminal claims and the FTCA claims represent legitimate decisions, an impartial, non-defendant, judge will uphold these rulings after the new complaint is filed. As a result, screening of plaintiff's impending complaint serves solely to cover up the impropriety of such rulings.

21. On January 23, 2014, plaintiff delivered a complaint to the clerk's office at the San Jose division. The complaint is based on judge Chen's December 20, 2013 dismissal order. Deputy clerk Gordana Macic received the complaint and assigned it to judge Koh under judge Chen's screening order (Case No. C14-mc-80017RMW). Because she was named a defendant, clerk Macic said that judge Koh would refer the complaint to another judge.

22. On January 27, 2014, plaintiff informed clerk Macic of the illegitimacy of judge Chen's dismissal order. Plaintiff then asked clerk Macic to file the delivered complaint and issue a summons to plaintiff. Supervisor Snooki R. Puli replied that judge Whyte was reviewing the complaint. When plaintiff asked supervisor Puli to call judge Whyte, supervisor Puli asked plaintiff to leave the clerk's office.

CLAIMS

24. Claim 1 Procedure Due Process: Judge Whyte's January 30, 2014 dismissal order in conjunction with judge Chen's December 20, 2013 dismissal order have denied plaintiff procedural due process in violation of the Due Process Clause of the Fifth Amendment to the United States Constitution.

REQUEST FOR RELIEF

WHEREFORE, plaintiff respectfully requests that the court enter judgment against judge Whyte as well as judge Chen and provide plaintiff the following relief:

A. A declaratory judgment that judge Whyte's January 30, 2014 dismissal order in conjunction with judge Chen's December 20, 2013 dismissal order violate the Due Process Clause of the Fifth Amendment to the United States Constitution.

1 B. An order vacating judge Chen's December 20, 2013 dismissal order and judgment as well
2 as judge Whyte's January 30, 2014 dismissal order and judgment.

3 C. Monetary damages in the amount of \$16,000,000.00 against judge Whyte, and
4 \$16,000,000.00 against judge Chen.

5 D. Plaintiff's reasonable costs and expenses of this action in according with 42 U.S.C. §
6 1988 and other applicable law.

7 E. All other further relief to which plaintiff may be entitled.

8 **DEMAND FOR JURY TRIAL**

9 Plaintiff hereby demands a trial by jury on all issues for which a right to jury trial exists.

10 Respectfully submitted this 6th day of February 2014.

Kuang-bao Ou-young

11 KUANG-BAO P. OU-YOUNG
12 1362 Wright Avenue
13 Sunnyvale, California 94087
14 (408) 736-7793
15 kbouyoung@yahoo.com
16

17 Plaintiff
18

JS 44 (Rev. 12/12) cand rev (1/15/13)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

KUANG-BAO P. OU-YOUNG

(b) County of Residence of First Listed Plaintiff Santa Clara
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS

JOHN G. ROBERTS, JR., et al

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

JSW

CV 14 80030 MISC. (Attorneys (Filing Name, Address and Telephone Number))

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
5th Amendment of the United States Constitution, 42 U.S.C. section 1983

Brief description of cause:
Defendants denied plaintiff procedure due process

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
32,000,000.00

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE
02/06/2014

SIGNATURE OF ATTORNEY OF RECORD

Kuang-bao Ou-yong

IX. DIVISIONAL ASSIGNMENT (Civil L.R. 3-2)

(Place an "X" in One Box Only)

☐ SAN FRANCISCO/OAKLAND ☒ SAN JOSE ☐ EUREKA

Exhibit IV

1 KUANG-BAO P. OU-YOUNG
 2 1362 Wright Avenue
 3 Sunnyvale, California 94087
 4 (408) 736-7793
 5 kbouyoung@yahoo.com
 6

7 Complainant Pro Se
 8

9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **SAN JOSE DIVISION**
 12

13 **KUANG-BAO P. OU-YOUNG**)
 14)

15 v.) Case No.
 16)

17 **BETTY WATSON,**)
 18 Deputy Clerk, United States District Court)
 19 for the Northern District of California,)
 20)
 21 Defendant.)
 22)
 23

24 **CRIMINAL COMPLAINT**

25 I, the complainant in this case, state that the following is true to the best of my knowledge
 26 and belief: On February 6, 2014, Betty Watson, a deputy clerk at the San Jose division of the
 27 United States district court for the northern district of California (the "district court") fabricated
 28 a summons and a scheduling order based on complainant's civil complaint delivered to the
 29 clerk's office. In so doing, defendant Watson has violated 18 U.S.C. § 1512(c), which prohibits
 30 tampering with federal court records. In addition, defendant Watson has violated 18 U.S.C. §
 31 1512(b), which prohibits tampering with witness in a federal court proceeding.

32 1. On February 2, 2010, complainant filed a civil action against the United States
 33 Postal Service with this district court (Case No. C10-00464RS, "Docket A").

34 2. On June 10, 2011, district judge Richard Seeborg issued a summary judgment and
 35 dismissed the case. Doc. Nos. A53, A54.

1 3. On May 31, 2012, plaintiff filed a civil action against four postal employees with
2 the district court (Case No. C12-02789LHK, "Docket B"). This case resulted from the postal
3 employees' presentation of false declarations in defense of the Postal Service in case C10-
4 00464RS.

5 4. District judge Lucy H. Koh dismissed case C12-02789LHK on November 9,
6 2012. The dismissal order was entered as judgment on November 21. Doc. Nos. B28, B29.

7 5. On December 5, 2012, complainant moved to vacate the November 21 judgment
8 dismissing case C12-02789LHK. Doc. No. B34.

9 6. On June 10, 2013, judge Koh denied complainant's December 5, 2012 motion to
10 vacate judgment. Doc. No. B48.

11 7. On September 25, 2013, the denial of complainant's December 5, 2012 motion to
12 vacate judgment resulted in a civil action against judge Koh (Case No. C13-04442EMC, "Docket
13 E").

14 8. District judge Edward M. Chen dismissed case C13-04442EMC on December 20,
15 2013. Judge Chen's dismissal order also subjected complainant's future complaints to pre-filing
16 review by a general duty judge. Doc. No. E40.

17 9. On January 23, 2014, complainant delivered a complaint to the clerk's office at
18 the San Jose division. District judge Ronal M. Whyte was assigned to review the complaint
19 under judge Chen's December 2013 dismissal order (Case No. C14-mc-80017RMW).

20 10. On January 30, 2014, judge Whyte dismissed the January 23 complaint.

21 11. On February 6, 2014, plaintiff delivered a complaint against judge Whyte and
22 judge Chen to the clerk's office at the San Jose division.

23 12. Defendant Watson received the complaint and issued a scheduling order and a
24 summons to plaintiff (Case No. C14-00567HRL). Exhibits I, II.

1 13. Subsequently, district judge Jeffrey S. White was assigned to review the delivered
2 complaint under judge Chen's December 2013 dismissal order (Case No. C14-mc-80030JSW).
3 Exhibit III.

4 14. The fact that complainant's February 6, 2014 complaint is under judge White's
5 pre-filing review, shows that defendant Watson has fabricated the summons and the scheduling
6 order in phantom case C14-00567HRL. In so doing, defendant Watson has violated 18 U.S.C §
7 1512(c), which prohibits tampering with federal court records. In addition, defendant Watson
8 issued the fabricated summons and scheduling order so as to intimidate complainant into
9 abandoning the case. In so doing, defendant Watson has violated 18 U.S.C. § 1512(b), which
10 prohibits tampering with witness in a federal court proceeding.

11
12
13
14
15
16
17

Complainant's signature
KUANG-BAO P. OU-YOUNG
Complainant Pro Se

18 Sworn to before me and signed in my presence,

19 Date:

20
21 City and state: San Jose, California
22

Judge's signature
D. Lowell Jensen
United States District Judge

Exhibit V

Stacia Hylton
Director, United States Marshals Service
United States Marshals Headquarters, Mail Stop CS-3
Washington, DC 20530-1000

Donald M. O'Keefe
United States Marshal for the Northern District of California
United States Courthouse/Phillip Burton Building
450 Golden Gate Avenue, Room 20-6888
San Francisco, CA 94102

CRIME REPORT

The undersigned is a resident of the city of Sunnyvale, California. As a victim of a federal crime committed on February 13, 2014 at the San Jose courthouse of the United States District Court for the Northern District of California (the "district court"), the undersigned reports the incident as follows:

On February 13, 2014, around 9:30 a.m., the undersigned arrived at the San Jose courthouse of the district court, located at 280 South First Street, San Jose, California. Inside the courthouse, at courtroom 7, 4th floor, United States district judge D. Lowell Jensen presided over federal criminal proceedings all morning. The undersigned had brought a confidential document to be sworn to before judge Jensen under Rule 3 of the Federal Rules of Criminal Procedure ("Fed. R. Crim. P."). Specifically, Rule 3 provides:

The complaint is a written statement of the essential facts constituting the offense charged. Except as provided in Rule 4.1, it must be made under oath before a magistrate judge or, if none is reasonably available, before a state or local judicial officer.

Rule 1(c) of the FED. R. Crim. P., in turn, provides: "When these rules authorize a magistrate judge to act, any other federal judge may also act."

After the undersigned cleared security at the courthouse entrance, supervising marshal Mark Harwell ordered the undersigned to file the confidential document at the clerk's office,

citing the Local Rules of the district court. Deputy clerk Betty Watson issued a receipt to the undersigned afterwards. *See* the next page for a copy of the receipt.

However, the confidential document that the undersigned brought to the district court was a federal criminal complaint against clerk Watson. The Local Criminal Rules of the district court is silent on the procedure as to having a federal criminal complaint sworn to before a district judge. Besides, judge Jensen's courtroom was open to the public during the scheduled criminal proceedings. Hence marshal Harwell has abused his authority to intimidate the undersigned into submitting the federal criminal complaint to the clerk's office rather than judge Jensen's courtroom. In so doing, marshal Harwell has violated 18 U.S.C. § 1512(c), which prohibits tampering with federal court records. At the same time, marshal Harwell has violated 18 U.S.C. § 1512(b), which prohibits tampering with witness in federal court proceedings. Hence marshal Harwell must be referred to the United States Attorney's Office for criminal prosecution.

Please respond within 48 hours after receiving this report. Otherwise, the undersigned will be obliged to seek impeachment against marshal Harwell as well as his superiors such as yourselves from the United States House of Representatives under Section 4, Article II of the Constitution.

Date: February 25, 2014

Kuang-Bao Ou-Young

Kuang-Bao P. Ou-Young
1362 Wright Avenue
Sunnyvale, CA 94087
(408) 736-7793
kbouyoung@yahoo.com

The Honorable D. Lowell Jensen
District Judge
United States District Court
for the Northern District of California

Confidential

RECEIVED

FEB 13 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

INSPECTED BY
US MARSHALS

FEB 13 2014

Exhibit VI

[English](#)[Customer Service](#)[USPS Mobile](#)[Register / Sign In](#)[Search USPS.com or Track Packages](#)**Quick Tools**[Track](#)[Enter up to 10 Tracking # Find](#)[Find USPS Locations](#)[Buy Stamps](#)[Schedule a Pickup](#)[Calculate Rates](#)[Look Up a Mail Code](#)[Hold Mail](#)[Change of Address](#)[Ship a Package](#)[Send Mail](#)[Manage Your Mail](#)[Shop](#)[Business Solutions](#)**USPS Tracking™**[Customer Service >](#)

Have questions? We're here to help.

Tracking Number: 9114901230801375051284

Expected Delivery Day: Wednesday, March 12, 2014

Product & Tracking Information**Postal Product:**

Priority Mail 2-Day™

Features:

\$50 Insurance included

USPS Tracking™

Available Actions[Email Updates](#)

DATE & TIME	STATUS OF ITEM	LOCATION
March 16, 2014 , 11:49 am	Available for Pickup	WASHINGTON, DC 20515
March 16, 2014 , 10:42 am	Arrival at Hub	WASHINGTON, DC 20018
March 14, 2014	Depart USPS Sort Facility	WASHINGTON, DC 20018
March 13, 2014 , 10:38 am	Processed through USPS Sort Facility	WASHINGTON, DC 20018
March 11, 2014	Depart USPS Sort Facility	SAN FRANCISCO, CA 94188
March 10, 2014 , 7:52 pm	Processed at USPS Origin Sort Facility	SAN FRANCISCO, CA 94188
March 10, 2014 , 3:44 pm	Dispatched to Sort Facility	SUNNYVALE, CA 94087
March 10, 2014 , 11:12 am	Acceptance	SUNNYVALE, CA 94087

Track Another Package

What's your tracking (or receipt) number?

[Track It](#)**LEGAL**[Privacy Policy >](#)[Terms of Use >](#)[FOIA >](#)[No FEAR Act EEO Data >](#)**ON USPS.COM**[Government Services >](#)[Buy Stamps & Shop >](#)[Print a Label with Postage >](#)[Customer Service >](#)[Delivering Solutions to the Last Mile >](#)[Site Index >](#)**ON ABOUT.USPS.COM**[About USPS Home >](#)[Newsroom >](#)[USPS Service Alerts >](#)[Forms & Publications >](#)[Careers >](#)**OTHER USPS SITES**[Business Customer Gateway >](#)[Postal Inspectors >](#)[Inspector General >](#)[Postal Explorer >](#)

Copyright© 2014 USPS. All Rights Reserved.

Exhibit VII

DEPARTMENT OF THE TREASURY
FINANCIAL MANAGEMENT SERVICE
P. O. BOX 830794
BIRMINGHAM, AL 35283-0794



March 19, 2014

001231



KUANGBAO P OUYOUNG
1362 WRIGHT AVE
SUNNYVALE, CA 94087-3025

FedDebt Case Identification: 2014083879A

Agency Debt Identification: 6-4138754

Your unpaid delinquent debt owed to the U S Postal Service, US Postal Service - San Mateo ASC, Eagan MAS1, has been referred to the U.S. Department of the Treasury for collection. According to the records of the U S Postal Service, you owe \$155.10.

Collection action will continue unless you make payment, within ten (10) days from the date of this letter, in the amount of \$201.63, which includes all applicable fees, interest, and penalties, as of today.

If you wish to avoid further collection action and additional charges, you must immediately pay your debt. Your check or money order should be made payable to the U.S. Treasury-FMS. To ensure proper credit to your account, please include the FedDebt Case Identification Number 2014083879A in the memo section of your payment. Please note that we accept credit card payments via MasterCard, Visa, Discover, or American Express. Please send your payment with the attached PAYMENT COUPON to:

U.S. Department of the Treasury - FMS
Debt Management Services
Post Office Box 979101
St. Louis, MO 63197-9000

You may also make an electronic payment via pay.gov:

(<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=16531440>).

Correspondence should be mailed to: U.S. Department of the Treasury
Debt Management Services
Post Office Box 830794
Birmingham, AL 35283-0794

If you are unable to pay your debt in full, please contact a Customer Service Representative toll free at (888) 826-3127, or the Telecommunications Device for the Deaf (TDD) at (866) 896-2947.

U. S. Department of the Treasury
Debt Management Services

DSBDL__003__ fdv1

Detach Here

00000012072014083879A DL__0020848069 108

PAYMENT COUPON

FedDebt Case Identification Number: 2014083879A

Amount Due: \$201.63

Amount Enclosed: _____

KUANGBAO P OUYOUNG
1362 WRIGHT AVE
SUNNYVALE, CA 94087-3025

METHOD OF PAYMENT (check one):

Make check/money order payable to: U.S. Department of Treasury - FMS



Personal/Company Check



Money Order



Bank Check

Exhibit VIII



Statement

Page 1 of 1

USPS DISBURSING OFFICER
ACCOUNTING SERVICE CENTER
2825 LONE OAK PKWY
EAGAN MN 55121-9640

STATEMENT DATE: 27-SEP-2010
CUSTOMER NUMBER: 03735614
TOTAL DUE: \$ 155.10

KUANGBAO P OUYOUNG
1362 WRIGHT AVE
SUNNYVALE CA 94087-3025

Questions or correspondence:
YOUR EMPLOYING OFFICE MAY CONTACT US AT
651 681-1404 IF ADDITIONAL ASSISTANCE IS
NEEDED.

Please direct any questions to your employing office.

TRANSACTION NUMBER	DATE	TRANSACTION TYPE	DUE DATE	REFERENCE	TRANSACTION AMOUNT	AMOUNT DUE
702154620	04-AUG-10	Invoice	03-SEP-10	P36320 PRD	155.10	155.10

Current	1-30 Days	31-60 Days	61-90 Days	Over 90 Days	FINANCE CHARGES	TOTAL DUE
0.00	155.10	0.00	0.00	0.00	0.00 \$	155.10

----- To ensure proper credit to your account, Please return bottom portion with your remittance -----



ATTN: FINANCIAL PROCESSING
ACCOUNTING SERVICE CENTER
2825 LONE OAK PKWY
EAGAN MN 55121-9616

STATEMENT DATE: 27-SEP-2010
CUSTOMER NUMBER: 03735614
TOTAL DUE: \$ 155.10

AMOUNT PAID: \$ _____



KUANGBAO P OUYOUNG
1362 WRIGHT AVE
SUNNYVALE CA 94087-3025

MAIL TO:



USPS DISBURSING OFFICER
ACCOUNTING SERVICE CENTER
2825 LONE OAK PKWY
EAGAN MN 55121-9640

☐ Check here to change address, complete new address on reverse.
Write your customer number on your check or money order. Do not send cash.

0103735614

X000000000000015510X



Statement

Page 1 of 1

USPS DISBURSING OFFICER
ACCOUNTING SERVICE CENTER
2825 LONE OAK PKWY
EAGAN MN 55121-9640

STATEMENT DATE: 22-JAN-2014
CUSTOMER NUMBER: 03735614
TOTAL DUE: \$ 1,160.45

KUANGBAO P OUYOUNG
1362 WRIGHT AVE
SUNNYVALE CA 94087-3025

Questions or correspondence:
INITIAL INQUIRIES MUST BE MADE TO YOUR
FORMER OFFICE OF EMPLOYMENT. FOR
ADDITIONAL ASSISTANCE CALL 651 681-1404.
MAKE CHECK PAYABLE TO: US POSTAL SERVICE

TRANSACTION NUMBER	DATE	TRANSACTION TYPE	DUE DATE	REFERENCE	TRANSACTION AMOUNT	AMOUNT DUE
702154620	04-AUG-10	Invoice	03-SEP-10	P36320 PRD	155.10	155.10
1424695	09-FEB-11	Invoice	11-MAR-11	Q29850 PRD	160.00	160.00
702215606	02-MAR-11	Invoice	01-APR-11	P92450 PRD	173.76	173.76
702246160	08-JUN-11	Invoice	08-JUL-11	P45800 PRD	74.48	74.48
702238427	11-MAY-11	Invoice	10-JUN-11	P25470 PRD	186.20	186.20
702175744	13-OCT-10	Invoice	12-NOV-10	P88100 PRD	155.10	155.10
702193633	22-DEC-10	Invoice	21-JAN-11	P36970 PRD	155.10	155.10
702336005	28-MAR-12	Invoice	27-APR-12	B97810 PRD	100.71	100.71

Current	1-30 Days	31-60 Days	61-90 Days	Over 90 Days	FINANCE CHARGES	TOTAL DUE
0.00	0.00	0.00	0.00	1,160.45	0.00 \$	1,160.45

----- To ensure proper credit to your account, Please return bottom portion with your remittance -----



ATTN: FINANCIAL PROCESSING
ACCOUNTING SERVICE CENTER
2825 LONE OAK PKWY
EAGAN MN 55121-9616

STATEMENT DATE: 22-JAN-2014
CUSTOMER NUMBER: 03735614
TOTAL DUE: \$ 1,160.45

AMOUNT PAID: \$ _____



KUANGBAO P OUYOUNG
1362 WRIGHT AVE
SUNNYVALE CA 94087-3025

MAIL TO:



USPS DISBURSING OFFICER
ACCOUNTING SERVICE CENTER
2825 LONE OAK PKWY
EAGAN MN 55121-9640

☐ Check here to change address, complete new address on reverse.
Write your customer number on your check or money order. Do not send cash.

0103735614

X000000000000116045X

Exhibit IX

English

Customer Service

USPS Mobile

Register / Sign In



Search USPS.com or Track Packages

Quick Tools

Track

Enter up to 10 Tracking # Find

Find USPS Locations

Buy Stamps

Schedule a Pickup

Calculate Postage

Look up Mail Code

Hold Mail

Change of Address

Ship a Package

Send Mail

Manage Your Mail

Shop

Business Solutions

USPS Tracking™



Customer Service >

Have questions? We're here to help.

Tracking Number: 9114901230801375051284

Expected Delivery Day: Wednesday, March 12, 2014

Product & Tracking Information

Postal Product:

Priority Mail 2-Day™

Features:

\$50 insurance included

USPS Tracking™

Available Actions

Email Updates

DATE & TIME	STATUS OF ITEM	LOCATION
March 18, 2014 , 7:38 am	Delivered	WASHINGTON, DC 20515
March 16, 2014 , 11:49 am	Available for Pickup	WASHINGTON, DC 20515
March 16, 2014 , 10:42 am	Arrival at Hub	WASHINGTON, DC 20018
March 14, 2014	Depart USPS Sort Facility	WASHINGTON, DC 20018
March 13, 2014 , 10:38 am	Processed through USPS Sort Facility	WASHINGTON, DC 20018
March 11, 2014	Depart USPS Sort Facility	SAN FRANCISCO, CA 94188
March 10, 2014 , 7:52 pm	Processed at USPS Origin Sort Facility	SAN FRANCISCO, CA 94188
March 10, 2014 , 3:44 pm	Dispatched to Sort Facility	SUNNYVALE, CA 94087
March 10, 2014 , 11:12 am	Acceptance	SUNNYVALE, CA 94087

Track Another Package

What's your tracking (or receipt) number?

Track It

LEGAL

Privacy Policy >

Terms of Use >

FOIA >

No FEAR Act EEO Data >

ON USPS.COM

Government Services >

Buy Stamps & Shop >

Print a Label with Postage >

Customer Service >

Delivering Solutions to the Last Mile >

Site Index >

ON ABOUT.USPS.COM

About USPS Home >

Newsroom >

USPS Service Alerts >

Forms & Publications >

Careers >

OTHER USPS SITES

Business Customer Gateway >

Postal Inspectors >

Inspector General >

Postal Explorer >



Copyright© 2014 USPS. All Rights Reserved.

Exhibit X

IMPORTANT!

Severe weather is causing delays and disruptions across the U.S. Learn More



Ship (P/U) date : Mon 3/24/2014				Actual delivery : Fri 3/28/2014 1:15 pm	
LOS ALTOS, CA US		Delivered <i>Signed for by: SEEGIDAD</i>		WASHINGTON, DC US	
Let us tell you when your shipment arrives. Sign up for delivery notifications					
Travel History					
Date/Time	Activity	Location			
- 3/28/2014 - Friday					
1:15 pm	Delivered	Upper Marlboro, MD			
5:09 am	On FedEx vehicle for delivery	BELTSVILLE, MD			
4:53 am	At local FedEx facility	BELTSVILLE, MD			
2:40 am	Departed FedEx location	HAGERSTOWN, MD			
- 3/27/2014 - Thursday					
10:56 pm	Departed FedEx location	HAGERSTOWN, MD			
3:57 pm	Arrived at FedEx location	HAGERSTOWN, MD			
- 3/25/2014 - Tuesday					
8:46 am	Departed FedEx location	SACRAMENTO, CA			
3:14 am	Arrived at FedEx location	SACRAMENTO, CA			
- 3/24/2014 - Monday					
10:27 pm	Left FedEx origin facility	SAN JOSE, CA			
6:48 pm	Arrived at FedEx location	SAN JOSE, CA			
4:00 pm	Picked up	SAN JOSE, CA			
3:03 pm	Shipment information sent to FedEx				
Local Scan Time					
Shipment Facts					
Tracking number	661225715036624	Service	FedEx Ground		
Reference	KUANG-BAO OU-YOUNG	Weight	3.2 lbs		
Total pieces	1	Invoice number	PKG ID: 71782		
Packaging	Package				

Exhibit XI

KUANG-BAO P. OU-YOUNG
1362 Wright Avenue
Sunnyvale, California 94087
(408) 736-7793
kbouyoung@yahoo.com

Complainant Pro Se

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA
CRIMINAL DIVISION
HALL OF JUSTICE**

KUANG-BAO P. OU-YOUNG)	Case No.
)	
v.)	CRIMINAL COMPLAINT
)	
MARK HARWELL,)	
Supervising Marshal, San Jose Courthouse,)	
United States District Court for the)	
Northern District of California,)	
)	
Defendant.)	
_____)	

JURISDICTION AND VENUE

1. Rule 3 of the Federal Rules of Criminal Procedure ("Fed. R. Crim. P.") provides:

The complaint is a written statement of the essential facts constituting the offense charged. Except as provided in Rule 4.1, it must be made under oath before a magistrate judge or, if none is reasonably available, before a state or local judicial officer.

Rule 1(b)(10)(A) of the Fed. R. Crim. P. defines "a state or local judicial officer" as "a state or local officer authorized to act under 18 U.S.C. § 3041." 18 U.S.C. § 3041, in turn, provides:

For any offense against the United States, the offender may, by any justice or judge of the United States, or by any United States magistrate judge, or by any chancellor, judge of a supreme or superior court, ... of any state where the offender may be found, and at the expense of the United States, be arrested and imprisoned or released as provided in chapter 207 of this title, as the case may be, for trial before such court of the United States as by law has cognizance of the offense. ...

2. Venue is proper under Local Criminal Rule 1H(1) at the Hall of Justice because the federal crime arose inside the San Jose courthouse of the United States district court for the northern district of California (the "district court").

STATEMENT OF FACTS

3. On February 13, 2014, around 9:30 a.m., complainant arrived at the San Jose courthouse of the district court, located at 280 South First Street, San Jose, California. Inside the courthouse at courtroom 7, 4th floor, United States district judge D. Lowell Jensen presided over federal criminal proceedings all morning. Complainant had brought a confidential document to be sworn to before judge Jensen.

4. After complainant cleared security at the courthouse entrance, supervising marshal Mark Harwell ordered complainant to file the confidential document at the clerk's office, citing the Local Rules of the district court. *See* the next page for a copy of the receipt. Deputy clerk Betty Watson issued the receipt to complainant.

5. However, the confidential document that complainant brought was a federal criminal complaint against deputy clerk Watson. The Local Criminal Rules of the district court is silent on the procedure as to having a federal criminal complaint sworn to before a district judge. In addition, judge Jensen's courtroom was open to the public during the scheduled criminal proceedings. Consequently, marshal Harwell has abused his authority to intimidate complainant into submitting the federal criminal complaint to the clerk's office rather than judge Jensen's courtroom.

6. In so doing, marshal Harwell has violated 18 U.S.C. § 1512(c), which prohibits tampering with federal court records. At the same time, marshal Harwell has violated 18 U.S.C. § 1512(b), which prohibits tampering with witness in federal court proceedings. Marshal Harwell has intentionally stopped complainant from presenting the federal criminal complaint to judge

Jensen. Accordingly, complainant hereby files this complaint so as to assert his entitlement to procedure due process under the Fifth Amendment of the United States Constitution.

Complainant's signature
KUANG-BAO P. OU-YOUNG
Complainant Pro Se

Sworn to before me and signed in my presence,

Date:

Judge's signature

City and state: San Jose, California

The Honorable D. Lowell Jensen
District Judge
United States District Court
for the Northern District of California

Confidential

INSPECTED BY
US MARSHALS

FEB 13 2014

RECEIVED

FEB 13 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

Exhibit XII

San Jose Police Department
201 West Mission Street
San Jose, CA 95110

CRIME REPORT

The undersigned is a resident of the city of Sunnyvale, California. As a victim of a federal crime committed on February 13, 2014 at the San Jose courthouse of the United States district court for the northern district of California (the "district court"), the undersigned reports the incident as follows:

On February 13, 2014, around 9:30 a.m., the undersigned arrived at the San Jose courthouse of the district court, located at 280 South First Street, San Jose, California. Inside the courthouse, at courtroom 7, 4th floor, United States district judge D. Lowell Jensen presided over federal criminal proceedings all morning. The undersigned had brought a confidential document to be sworn to before judge Jensen.

After the undersigned cleared security at the courthouse entrance, supervising marshal Mark Harwell ordered the undersigned to file the confidential document at the clerk's office, citing the Local Rules of the district court. *See* the next page for a copy of the receipt. Deputy clerk Betty Watson issued the receipt to the undersigned.

However, the confidential document that the undersigned brought to the district court was a federal criminal complaint against clerk Watson. The Local Criminal Rules of the district court is silent on the procedure as to having a federal criminal complaint sworn to before a district judge. Besides, judge Jensen's courtroom was open to the public during the scheduled criminal proceedings. Hence marshal Harwell has abused his authority to intimidate the undersigned into submitting the federal criminal complaint to the clerk's office rather than judge Jensen's courtroom. In so doing, marshal Harwell has violated 18 U.S.C. § 1512(c), which prohibits tampering with federal court records. At the same time, marshal Harwell has violated 18 U.S.C. § 1512(b), which prohibits tampering with witness in federal court proceedings.

As a result of marshal Harwell's harassment, the undersigned feels unsafe inside the San Jose courthouse of the district court. Unless the United States Marshals Service guarantees the undersigned's safety, the undersigned requests that the San Jose Police Department provide escort during the undersigned's future visits to the San Jose courthouse of the district court.

Kuang-bao Ou-young

Kuang-Bao P. Ou-Young
1362 Wright Avenue
Sunnyvale, CA 94087
(408) 736-7793

The Honorable D. Lowell Jensen
District Judge
United States District Court
for the Northern District of California

Confidential

RECEIVED

FEB 13 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

INSPECTED BY
US MARSHALS

FEB 13 2014

Exhibit XIII

IN THE UNITED STATES HOUSE OF REPRESENTATIVES

PETITION FOR IMPEACHMENT

Complainant Kuang-Bao P. Ou-Young, a citizen of the State of California and the United States, petitions the honorable House of Representatives of the United States for impeachment against United States district judge Ronald M. Whyte, United States district judge Jeffrey S. White, United States district judge Edward M. Chen, United States district judge Lucy H. Koh, and United States district judge Richard Seeborg, United States district court for the northern district of California (the "district court"), as well as United States attorney general Eric H. Holder, Jr., United States postmaster general, Patrick R. Donahoe, commissioner for fiscal service (successor of financial management service ("FMS")), United States Department of the Treasury, David A. Lebryk, director of United States Marshals Service, Stacia Hylton, United States marshal for the northern district of California, Donald M. O'Keefe, and supervisory deputy U.S. marshal at the San Jose office of the United States marshal for the northern district of California, Mark Harwell, United States attorney for the northern district of California, Melinda Haag, assistant United States attorney James A. Scharf, and assistant United States attorney Claire T. Cormier, United States attorney's office for the northern district of California. This petition is based on the federal criminal statutes against obstruction of justice in 18 U.S.C. §§ 1509, 1512(b), and 1512(c) as well as Section 4, Article II of the Constitution.

18 U.S.C. § 1509 prohibits interfering with the due exercise of rights under any order, judgment or decree of a court of the United States. 18 U.S.C. § 1512(b) prohibits tampering with witness in federal official proceedings. And 18 U.S.C. § 1512(c) prohibits tampering with federal official records. As a result of violation of any of these statutes, federal officials are subjected to impeachment under Section 4, Article II of the Constitution. Wherein the Constitution gravely provides:

The President, Vice President, and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

This petition asserts that the aforementioned federal officers have violated 18 U.S.C. §§ 1509, 1512(b), and 1512(c) in a series of lawsuits which complainant filed with the district court. Upon proof of liability for the claimed criminal offenses, these civil officers must be impeached and removed from office.

This petition for impeachment represents a major revision of the petition that complainant submitted on March 11, 2014. As a result, the present petition replaces the March 11 petition.

STATEMENT OF FACTS

1. On February 2, 2010, complainant filed a civil case against the United States Postal Service (the "Postal Service", "USPS") with the district court (Case No. 5:10-cv-00464-RS (C10-00464RS), "Docket A").
2. On June 10, 2011, judge Seeborg issued a summary judgment and dismissed case C10-00464RS. Doc. Nos. A53, A54.
3. On May 31, 2012, complainant filed a civil case against four postal employees (Case No. 5:12-cv-02789-LHK (C12-02789LHK), "Docket B"). Case C12-02789LHK resulted from the postal employees' presentation of false declarations in defense of the Postal Service in case C10-00464RS.
4. On August 9, 2012, U.S. attorney Haag and assistant U.S. attorney Scharf moved to dismiss case C12-02789LHK. Doc. No. B20.
5. On November 9, 2012, judge Koh dismissed case C12-02789LHK. The dismissal order was entered as judgment on November 21. Doc. Nos. B28, B29.
6. On December 5, 2012, complainant moved for summary judgment and to vacate the November 21 judgment dismissing case C12-02789LHK. Docs. No. B33, B34.

7. Also on December 5, 2012, complainant moved to disqualify judge Koh from case C12-02789LHK. Doc No. B36.

8. On June 10, 2013, judge Koh denied complainant's December 5, 2012 motion for summary judgment as well as motions to vacate judgment and to disqualify herself from case C12-02789LHK. Doc. No. B48.

9. In response to judge Koh's denial of the December 5, 2012 motion to vacate judgment, complainant filed a civil action on September 25, 2013 (Case No. 3:13-cv-04442-EMC (C13-04442EMC), "Docket E").

10. On November 5, 2013, U.S. attorney Haag and assistant U.S. attorney Cormier moved to dismiss case C13-04442EMC. Doc. No. E24.

11. On November 14, 2013, U.S. attorney Haag and assistant U.S. attorney Cormier moved to declare complainant a vexatious litigant. Doc. No. E28.

12. On December 13, 2013, complainant moved to disqualify judge Chen from case C13-04442EMC for the third time. Doc. No. E38.

13. Judge Chen denied complainant's third motion to disqualify judge Chen himself from case C13-04442EMC on December 20, 2013. In the order, judge Chen also dismissed case C13-04442EMC. Doc. No. E40. Judge Chen then subjected complainant's further complaints to "pre-filing review" by the "general duty judge" based on the November 14 vexatious litigant motion. *Ditto* at 16-17.

Plaintiff must obtain leave of court before filing any further suits alleging any violations of the federal criminal statutes, pursuant to 18 U.S.C. § 1512(b), 18 U.S.C. § 1512(c), and 18 U.S.C. § 371, and the FTCA, codified at 28 U.S.C. § 2671 *et seq.*, involving parties that he named in the current case, or *Ou-Young I*, *Ou-Young II*, *Ou-Young III*, and *Ou-Young IV*, previously filed in the Court. The clerk of this Court shall not accept for filing any further complaints filed by Plaintiff alleging any claims described herein until that complaint has first been reviewed by a judge of this court and approved for filing. The pre-filing review will be made by the general duty judge who will determine whether

Plaintiff has stated a potentially cognizable claim in a short intelligible and plain statement.

14. In response to judge Chen's dismissal of case C13-04442EMC, complainant lodged a complaint at the clerk's office of the San Jose division of the district court on January 23, 2014 (Case No. 5:14-mc-80017-RMW (C14-80017RMW), "Docket MA"). Rule 1-5(m) of the district court's Civil Local Rules defines "lodge" as:

When a statute, rule or order permits a document to be submitted to the Court but does not permit the document to be "filed" (e.g., settlement conference statement, deposition transcripts or a proposed trial exhibit), the document may be "lodged" with the Clerk's office. The Clerk will stamp the document "received" and promptly deliver it to the Chambers of the Judge for whom the document is intended.

Under judge Chen's dismissal order, the lodged complaint was assigned later to judge Whyte for pre-filing review.

15. In response to judge Chen's dismissal of case C13-04442EMC, complainant lodged a complaint at the clerk's office of the San Francisco division of the district court on January 24, 2014 (Case No. 3:14-mc-80018-RS (C14-80018RS), "Docket MB"). Under judge Chen's dismissal order, the receiving clerk assigned the lodged complaint to judge Seeborg for pre-filing review.

16. On January 30, 2014, judge Whyte dismissed case C14-80017RMW before allowing complainant to "file". Doc. No. MA4.

17. In response to judge Chen's dismissal of case C13-04442EMC, complainant lodged a complaint at the clerk's office of the Oakland division of the district court on February 3, 2014 (Case No. 4:14-mc-80028-JSW (C14-80028JSW), "Docket MC"). Under judge Chen's dismissal order, the lodged complaint was assigned later to judge White for pre-filing review.

18. In response to judge Whyte's dismissal of case C14-80017RMW, complainant filed a complaint against judge Whyte and judge Chen at the San Jose division of the district

court on February 6, 2014. Upon receipt of the complaint, deputy clerk Betty Watson issued a summons, a scheduling order, and a case number to complainant (Case No. C14-00567HRL). Exhibits I-III.

19. The complaint in case C14-00567HRL asserts just one claim: (Exhibit III at 6)

Judge Whyte's January 30, 2014 dismissal order in conjunction with judge Chen's December 20, 2013 dismissal order have denied plaintiff procedural due process in violation of the Due Process Clause of the Fifth Amendment to the United States Constitution.

The claim alleged no violations of 18 U.S.C. §§ 371, 1512(b), 1512(c) or 28 U.S.C § 2671 *et seq.* Further, the claim named only judge Whyte and judge Chen as defendants. Neither judge Whyte nor judge Chen was named a defendant in case C14-04442EMC or the preceding cases. As a result, judge Chen's dismissal order has exempted the complaint in case C14-00567HRL from pre-filing review. Still, clerk Watson cancelled case C14-00567HRL and assigned the complaint to judge White for pre-filing review later (Case No. 3:14-mc-80030-JSW (C14-80030JSW), "Docket ME").

20. On February 7, 2014, judge Seeborg dismissed case C14-80018RS (¶ 15) before allowing complainant to "file". Doc. No. MB2.

21. On February 13, 2014, complainant brought a criminal complaint against clerk Watson to the San Jose courthouse of the district court. Exhibit IV. Complainant had brought the criminal complaint to be sworn to before district judge D. Lowell Jensen under Rule 3 of the Federal Rules of Criminal Procedure ("Fed. R. Crim. P."). Specifically, Rule 3 provides:

The complaint is a written statement of the essential facts constituting the offense charged. Except as provided in Rule 4.1, it must be made under oath before a magistrate judge or, if none is reasonably available, before a state or local judicial officer.

Rule 1(c) of Fed. R. Crim. P., in turn, provides: "When these rules authorize a magistrate judge to act, any other federal judge may also act."

22. After complainant cleared security at the courthouse entrance, deputy marshal Harwell ordered complainant to file the criminal complaint at the clerk's office. Clerk Watson received the criminal complaint and issued a receipt to complainant afterwards.

23. On February 25, 2014, complainant filed a crime report with both director Hylton and marshal O'Keefe concerning the incident that occurred at the San Jose courthouse of the district court on February 13 (USPS Tracking Nos. 9114901230801375041513, 37). Exhibit V.

24. Due to the lack of response from either director Hylton or marshal O'Keefe, complainant submitted a petition for impeachment against judge Whyte, judge Chen, director Hylton, marshal O'Keefe, and deputy marshal Harwell to the House Judiciary Committee on March 11, 2014. The petition was sent initially to six members of the Committee by the Postal Service's priority mail on March 10, 2014 (USPS Tracking Nos. 9114901230801375051284, 307). Exhibit VI.

25. On March 18, 2014, USPS tracking showed that complainant's March 11 petition for impeachment was available for pickup at 11:49 a.m. Eastern time. *See* Exhibit VI.

26. On March 19, 2014, Financial Management Service ("FMS") of the Treasury Department notified complainant about collecting certain debts owed to the Postal Service (Case Nos. 2014083221A, 3486A, 3493A, 3749A, 3879A, 3967A, 4066A, 4303A). Exhibit VII. The Postal Service started sending complainant monthly notice about these debts on September 27, 2010, when case C10-00464RS was under litigation. The Postal Service mailed the last monthly notice on January 22, 2014, after judge Chen dismissed case C14-04442EMC. ¶ 13. Exhibit VIII.

27. On March 21, 2014, USPS tracking showed that complainant's March 11 petition for impeachment was delivered on March 18 at 7:38 a.m. Eastern time. Exhibit IX.

28. On March 24, 2014, complainant sent the March 11 petition for impeachment to nine additional members of the House Judiciary Committee by Fedex ground. Exhibit X.

29. Also on March 24, 2014, complainant informed FMS that the debts referred by the Postal Service were still under litigation. ¶ 26. FMS replied that the collection process would continue regardless.

30. On March 26, 2014, judge White dismissed case C14-80028JSW before allowing complainant to “file”. Doc. No. MC4. ¶ 17.

31. Also on March 26, 2014, judge White dismissed case C14-80030JSW before allowing complainant to “file”. Doc. No. ME2. ¶¶ 18-19.

32. On March 28, 2014, Fedex tracking showed that the petition for review sent on March 24 (¶ 28) was delivered at 1:15 p.m. Eastern time. *See Exhibit X.*

33. On April 3, 2014, FMS informed complainant that collection of the debts still under litigation had been suspended. ¶¶ 26, 29.

GROUND FOR IMPEACHMENT

34. On August 9, 2012, U.S. attorney Haag and assistant U.S. attorney Scharf moved to dismiss case C12-02789LHK based on, *inter alia*, the private right of action theory. ¶ 4. Doc. No. B20 at 18. However, the Supreme Court has held:

These considerations suggest that, in varying scope, a qualified immunity is available to officers of the executive branch of government, the variation being dependent upon the scope of discretion and responsibilities of the office and all the circumstances as they reasonably appeared at the time of the action on which liability is sought to be based.

Scheuer v. Rhodes, 416 U.S. 232, 247 (1974). Based on the ruling, all defendants in case C12-02789LHK lacked immunity from the criminal claims in the complaint. “Further proceedings, either by way of summary judgment or by trial on the merits, are required. The complaining parties are entitled to be heard more fully than is possible on a motion to dismiss a complaint.” *Ditto* at 250. Thus, the motion to dismiss case C12-02789LHK interferes with *Scheuer*. U.S. attorney Haag and assistant U.S. attorney Scharf have violated 18 U.S.C. § 1509.

35. Because the motion to dismiss case C12-02789LHK interferes with *Scheuer*, U.S. attorney Haag and assistant U.S. attorney Scharf have fabricated the motion to dismiss and violated 18 U.S.C. § 1512(c).

36. U.S. attorney Haag and assistant U.S. attorney Scharf fabricated the motion to dismiss case C12-02789LHK so as to intimidate complainant into abandoning the case. In so doing, U.S. attorney Haag and assistant U.S. attorney Scharf have violate 18 U.S.C. § 1512(b).

37. On November 9, 2013, judge Koh dismissed case C12-02789LHK based on the private right of action theory as well. ¶ 5. Doc. No. B28 at 6-7. Because judge Koh dismissed case C12-02789LHK without a motion for summary judgment from either U.S. attorney Haag or assistant U.S. attorney Scharf, the dismissal order interferes with *Scheuer*. Accordingly, judge Koh has violated 18 U.S.C. § 1509.

38. Because the order dismissing case C12-02789LHK interferes with *Scheuer*, judge Koh has fabricated the dismissal order and violated 18 U.S.C. § 1512(c).

39. Judge Koh fabricated the order dismissing case C12-02789LHK to intimidate complainant into abandoning the case. In so doing, judge Koh has violated 18 U.S.C. § 1512(b).

40. 28 U.S.C. § 144 provides:

Whenever a party to any proceeding in a district court makes and files a timely and sufficient affidavit that the judge before whom the matter is pending has a personal bias or prejudice either against him or in favor of any adverse party, such judge shall proceed no further therein, but another judge shall be assigned to hear such proceeding.

Judge Koh should have recused herself from case C12-02789LHK after complainant's December 5, 2012 motion to disqualify judge. ¶ 7. Yet on June 10, 2013, judge Koh persisted in denying the December 5, 2012 motions to disqualify judge and to vacate judgment. ¶ 8. Thus, judge Koh's order denying complainant's motion to vacate judgment interferes with 28 U.S.C. § 144 and represents direct violation of 18 U.S.C. § 1509.

41. Because judge Koh's order denying complainant's motion to vacate judgment in case C12-02789LHK interferes with 28 U.S.C. § 144, judge Koh has fabricated the denial order and violated 18 U.S.C. § 1512(c).

42. Judge Koh fabricated the order denying complainant's motion to vacate judgment in case C12-02789LHK so as to intimidate complainant into abandoning the case. In so doing, judge Koh has violated 18 U.S.C. § 1512(b).

43. On November 5, 2013, U.S. attorney Haag and assistant U.S. attorney Cormier moved to dismiss case C13-04442EMC based on, *inter alia*, the presumption that judge Koh was "absolutely immune from civil liability for damages for [her] judicial acts." ¶ 10. Doc. No. E24 at 6. However, the Supreme Court has held that "a judge is not absolutely immune from criminal liability." *Mireles v. Waco*, 502 U.S. 9, 10 (1991) (quoting *Ex parte Virginia*, 100 U.S. 339, 348-349 (1880)). "Further proceedings, either by way of summary judgment or by trial on the merits, are required. The complaining parties are entitled to be heard more fully than is possible on a motion to dismiss a complaint." *Scheuer* at 250. Because the motion to dismiss case C13-04442EMC interferes with both *Mireles* and *Scheuer*, U.S. attorney Haag and assistant U.S. attorney Cormier have violated 18 U.S.C. § 1509.

44. Because the motion to dismiss case C13-04442EMC interferes with both *Mireles* and *Scheuer*, U.S. attorney Haag and assistant U.S. attorney Cormier have fabricated the motion to dismiss and violated 18 U.S.C. § 1512(c).

45. U.S. attorney Haag and assistant U.S. attorney Cormier fabricated the motion to dismiss case C13-04442EMC so as to intimidate complainant into abandoning the case. Thus, U.S. attorney Haag and assistant U.S. attorney Cormier have violated 18 U.S.C. § 1512(b).

46. As a defendant in the case, attorney general Holder has authorized fabrication of the motion to dismiss case C13-04442EMC and violated 18 U.S.C. § 1512(c).

47. Attorney general Holder authorized fabrication of the motion to dismiss case C13-04442EMC in order to intimidate complainant into abandoning the case. In so doing, attorney general Holder has violated 18 U.S.C. § 1512(b).

48. On November 14, 2013, U.S. attorney Haag and assistant U.S. attorney Cormier moved to declare complainant a vexatious litigant based on, *inter alia*, the fact that judge Koh dismissed case C12-02789LHK on November 9, 2012. ¶ 11. Doc. No. E28 at 5. Because judge Koh's order dismissing case C12-02789LHK constitutes a fabrication, U.S. attorney Haag and assistant U.S. attorney Cormier have fabricated the vexatious litigant motion and violated 18 U.S.C. § 1512(c).

49. U.S. attorney Haag and assistant U.S. attorney Cormier fabricated the vexatious litigant motion in case C13-04442EMC so as to intimidate complainant into abandoning the case. Thus, U.S. attorney Haag and assistant U.S. attorney Cormier have violated 18 U.S.C. § 1512(b).

50. As a defendant in the case, attorney general Holder has authorized fabrication of the vexatious litigant motion in case C13-04442EMC and violated 18 U.S.C. § 1512(c).

51. Attorney general Holder authorized fabrication of the vexatious litigant motion in case C13-04442EMC in order to intimidate complainant into abandoning the case. In so doing, attorney general Holder has violated 18 U.S.C. § 1512(b).

52. On December 20, 2013, judge Chen dismissed case C13-04442EMC without a motion for summary judgment from either U.S. attorney Haag or assistant U.S. attorney Cormier. ¶ 13. In addition, judge Chen should have recused himself from case C13-04442EMC after complainant's December 13, 2013 motion to disqualify judge. ¶ 12. Yet on December 20, 2013, judge Chen persisted in dismissing case C13-04442EMC. ¶ 13. Hence the order dismissing case C13-04442EMC interferes with *Scheuer* and 28 U.S.C § 144. Judge Chen has violated 18 U.S.C. § 1509. *See also* ¶¶ 37, 40.

53. Because the order dismissing case C13-04442EMC interferes with *Scheuer* and 28 U.S.C § 144, judge Chen has fabricated the dismissal order and violated 18 U.S.C. § 1512(c).

54. Judge Chen fabricated the order dismissing case C13-0442EMC to intimidate complainant into abandoning the case. In so doing, judge Chen has violated 18 U.S.C. § 1512(b).

55. Under color of judge Chen's order dismissing case C13-04442EMC, judge Whyte dismissed case C14-80017RMW before allowing complainant to file on January 30, 2014. ¶¶ 14,

16. Because judge Chen's order dismissing case C13-04442EMC interferes with *Scheuer*, See ¶ 52, judge Whyte's order dismissing case C14-80017RMW interferes with *Scheuer*. Besides, by dismissing case C14-80017RMW before allowing complainant to file, the dismissal order has denied complainant procedural due process and interferes with the Fifth Amendment of the Constitution. Because the dismissal order interferes with *Scheuer* and the Fifth Amendment of the Constitution, judge Whyte has violated 18 U.S.C. § 1509.

56. Because judge Whyte's order dismissing case C14-80017RMW interferes with *Scheuer* and the Fifth Amendment of the Constitution, judge Whyte has fabricated the dismissal order and violated 18 U.S.C. § 1512(c).

57. Judge Whyte fabricated the order dismissing case C14-80017RMW in order to intimidate complainant into abandoning the case. In so doing, judge Whyte has violated 18 U.S.C. § 1512(b).

58. Under color of judge Chen's order dismissing case C13-04442EMC, judge Seeborg dismissed case C14-80018RS before allowing complainant to file on February 7, 2014. ¶¶ 15, 20. Because judge Chen's order dismissing case C13-04442EMC interferes with *Scheuer*, See ¶ 52, judge Seeborg's order dismissing case C14-80018RS interferes with *Scheuer*. Besides, by dismissing case C14-80018RS before allowing complainant to file, the dismissal order has denied complainant procedural due process and interferes with the Fifth Amendment of the

Constitution. Because the dismissal order interferes with *Scheuer* and the Fifth Amendment of the Constitution, judge Seeborg has violated 18 U.S.C. § 1509.

59. Because judge Seeborg's order dismissing case C14-80018RS interferes with *Scheuer* and the Fifth Amendment of the Constitution, judge Seeborg has fabricated the dismissal order and violated 18 U.S.C. § 1512(c).

60. Judge Seeborg fabricated the order dismissing case C14-80018RS in order to intimidate complainant into abandoning the case. In so doing, judge Seeborg has violated 18 U.S.C. § 1512(b).

61. On February 13, 2014, deputy marshal Harwell ordered complainant to submit the federal criminal complaint against clerk Watson at the clerk's office of the San Jose courthouse of the district court, instead of judge Jensen's courtroom. ¶¶ 21-22. In so doing, deputy marshal Harwell has interfered with Rule 3 of Fed. R. Crim. P. and violated 18 U.S.C. § 1509.

62. Rule 4(a) of Fed. R. Crim. P. provides:

If the complaint or one or more affidavits filed with the complaint establish probable cause to believe that an offense has been committed and that the defendant committed it, the judge must issue an arrest warrant to an officer authorized to execute it.

Deputy marshal Harwell's act of misdirection has prevented an arrest warrant against clerk Watson from being issued by judge Jensen. Accordingly, deputy marshal Harwell has violated 18 U.S.C. § 1512(c).

63. Deputy marshal Harwell ordered complainant to submit the criminal complaint to clerk Watson so as to intimidate complainant into abandoning case C14-00567HRL. In so doing, deputy marshal Harwell has violated 18 U.S.C. § 1512(b).

64. As a defendant in case C13-04442EMC, attorney general Holder has authorized deputy marshal Harwell's act of misdirection in case C14-00567HRL and violated 18 U.S.C. § 1512(c).

65. As a defendant in case C13-04442EMC, attorney general Holder authorized deputy marshal Harwell's act of misdirection so as to intimidate complainant into abandoning the case. In so doing, attorney general Holder has violated 18 U.S.C. § 1512(b).

66. Marshal O'Keefe has failed to respond to complainant's crime report against deputy marshal Harwell in case C14-00567JRL. ¶¶ 21-23. In so doing, marshal O'Keefe has violated 18 U.S.C. § 1512(c).

67. Marshal O'Keefe refused to respond to complainant's crime report against deputy marshal Harwell in case C14-00567HRL to intimidate complainant into abandoning the case. In so doing, marshal O'Keefe has violated 18 U.S.C. § 1512(b).

68. As a defendant in case C13-04442EMC, attorney general Holder has authorized marshal O'Keefe's refusal to respond to complainant's crime report against deputy marshal Harwell and violated 18 U.S.C. § 1512(c).

69. As a defendant in case C13-04442EMC, attorney general Holder authorized marshal O'Keefe's refusal to respond to complainant's crime report against deputy marshal Harwell so as to intimidate complainant into abandoning the case. In so doing, attorney general Holder has violated 18 U.S.C. § 1512(b).

70. Director Hylton has failed to respond to complainant's crime report against deputy marshal Harwell in case C14-00567HRL and violated 18 U.S.C. § 1512(c). ¶¶ 21-23.

71. Director Hylton refused to respond to complainant's crime report against deputy marshal Harwell in case C14-00567HRL to intimidate complainant into abandoning the case. In so doing, director Hylton has violated 18 U.S.C. § 1512(b).

72. As a defendant in case C13-04442EMC, attorney general Holder has authorized director Hylton's refusal to respond to complainant's crime report against deputy marshal Harwell and violated 18 U.S.C. § 1512(c).

73. As a defendant in case C13-04442EMC, attorney general Holder authorized director Hylton's refusal to respond to complainant's crime report against deputy marshal Harwell so as to intimidate complainant into abandoning the case. In so doing, attorney general Holder has violated 18 U.S.C. § 1512(b).

74. On March 18, 2014, USPS tracking showed that complainant's March 11 petition for impeachment was available for pickup at 11:49 a.m. Eastern time. ¶ 25. Yet on March 21, 2014, USPS tracking showed that the same petition was delivered on March 18 at 7:38 a.m. Eastern time. ¶ 27. As the substitute defendant in case C10-00464RS, postmaster general Donahoe has authorized fabrication of USPS tracking of complainant's March 11 petition for impeachment. In so doing, postmaster general Donahoe has violated 18 U.S.C. § 1512(c).

75. Postmaster general Donahoe authorized fabrication of USPS tracking of complainant's March 11 petition for impeachment so as to intimidate complainant into abandoning case C10-00464RS as well as succeeding cases. In so doing, postmaster general Donahoe has violated 18 U.S.C. § 1512(b).

76. As the substitute defendant in case C10-00464RS, postmaster general Donahoe has authorized bogus referral of the debts in dispute to FMS for collection and violated 18 U.S.C. § 1512(c).

77. Postmaster general Donahoe authorized bogus referral of the debts in dispute to FMS for collection so as to intimidate complainant into abandoning case C10-00464RS as well as succeeding cases. In so doing, postmaster general Donahoe has violated 18 U.S.C. § 1512(b).

78. On March 24, 2014, FMS insisted on collecting the debts referred by the Postal Service knowing that the debts were under litigation. ¶ 29. Hence commissioner Lebryk has authorized FMS's fraudulent notices of collection to cover up improprieties at the Postal Service. In so doing, commissioner Lebryk has violated 18 U.S.C. § 1512(c).

79. Commissioner Lebryk authorized FMS's fraudulent notices of collection to intimidate complainant into abandoning case C10-00464RS as well as succeeding cases. In so doing, commissioner Lebryk has violated 18 U.S.C. § 1512(b).

80. On March 24, 2014, FMS insisted on collecting the debts referred by the Postal Service. ¶ 29. FMS reversed itself only after Fedex delivered complainant's March 11 petition for impeachment on March 28. ¶¶ 32-33. Thus, commissioner Lebryk has authorized FMS's fraudulent refusal to suspend collection of the debts in dispute and violated 18 U.S.C. § 1512(c).

81. Commissioner Lebryk authorized FMS's fraudulent refusal to suspend collection of the debts in dispute so as to intimidate complainant into abandoning case C10-00464RS as well as succeeding cases. In so doing, commissioner Lebryk has violated 18 U.S.C. § 1512(b).

82. Under color of judge Chen's order dismissing case C13-04442EMC, judge White dismissed case C14-80028JSW before allowing complainant to file on March 26, 2014. ¶¶ 17, 30. Because judge Chen's order dismissing case C13-04442EMC interferes with *Scheuer*, See ¶ 52, judge White's order dismissing case C14-80028JSW interferes with *Scheuer*. Besides, by dismissing case C14-80028JSW before allowing complainant to file, the dismissal order has denied complainant procedural due process and interferes with the Fifth Amendment of the Constitution. Because the dismissal order interferes with *Scheuer* and the Fifth Amendment of the Constitution, judge White has violated 18 U.S.C. § 1509.

83. Because judge White's order dismissing case C14-80028JSW interferes with *Scheuer* and the Fifth Amendment of the Constitution, judge White has fabricated the dismissal order and violated 18 U.S.C. § 1512(c).

84. Judge White fabricated the order dismissing case C14-80028JSW to intimidate complainant into abandoning the case. In so doing, judge Whyte has violated 18 U.S.C. § 1512(b).

85. Under color of judge Chen's order dismissing case C13-04442EMC, judge White dismissed case C14-80030JSW before allowing complainant to file on March 26, 2014. ¶¶ 19, 31. Because judge Chen's order dismissing case C13-04442EMC interferes with *Scheuer*, See ¶ 52, judge White's order dismissing case C14-80030JSW interferes with *Scheuer*. Besides, by dismissing case C14-80030JSW before allowing complainant to file, the dismissal order has denied complainant procedural due process and interferes with the Fifth Amendment of the Constitution. Because the dismissal order interferes with *Scheuer* and the Fifth Amendment of the Constitution, judge White has violated 18 U.S.C. § 1509.

86. Because judge White's order dismissing case C14-80030JSW interferes with *Scheuer* and the Fifth Amendment of the Constitution, judge White has fabricated the dismissal order and violated 18 U.S.C. § 1512(c).

87. Judge White fabricated the order dismissing case C14-80030JSW to intimidate complainant into abandoning the case. In so doing, judge Whyte has violated 18 U.S.C. § 1512(b).

88. Clerk Watson's exclusion from the present petition for impeachment is based on her non-officer status.

89. Substantial grounds for impeachment have been left out of this petition for the sake of brevity. Based on the aforementioned cases, another civil action will be filed at the district court to comprehensively document the improprieties that occurred at the district court, the Justice Department, and the Postal Service.

90. The vexatious litigant motion in case C13-04442EMC refers to two additional actions besides the aforementioned cases: C13-03118PSG and C13-03676SI. ¶ 11. Additional petitions for impeachment based on these two actions will be presented to the House Judiciary Committee in due course.

CONCLUSION

Judge Whyte, judge White, judge Chen, judge Koh, judge Seeborg, attorney general Holder, U.S. attorney Haag, assistant U.S. attorney Scharf, and assistant U.S. attorney Cormier have abused their authorities to obstruct civil proceedings at the district court. Attorney general Holder, director Hylton, marshal O'Keefe, and deputy marshal Harwell have abused their authorities to obstruct criminal proceedings at the district court. Postmaster general Donahoe and commissioner Lebryk have abused their authorities to obstruct impeachment proceedings before the House. Thus, the aforementioned officers must be impeached and removed from office under Section 4, Article II of the Constitution.

Respectfully submitted this 25th day of April 2014.

Kuang-Bao Ou-Young

Kuang-Bao P. Ou-Young
1362 Wright Avenue
Sunnyvale, California 94087
(408) 736-7793
kbouyoung@yahoo.com

Complainant